



ISSN 1180-436X

**Legislative Assembly
of Ontario**

Second Session, 38th Parliament

**Assemblée législative
de l'Ontario**

Deuxième session, 38^e législature

**Official Report
of Debates
(Hansard)**

Tuesday 29 August 2006

**Journal
des débats
(Hansard)**

Mardi 29 août 2006

**Standing committee on
the Legislative Assembly**

Education Statute Law
Amendment Act
(Learning to Age 18), 2006

**Comité permanent de
l'Assemblée législative**

Loi de 2006 modifiant des lois
en ce qui concerne l'éducation
(apprentissage jusqu'à l'âge
de 18 ans)

Chair: Bob Delaney
Clerk: Tonia Grannum

Président : Bob Delaney
Greffière : Tonia Grannum

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Hansard Reporting and Interpretation Services
Room 500, West Wing, Legislative Building
111 Wellesley Street West, Queen's Park
Toronto ON M7A 1A2
Telephone 416-325-7400; fax 416-325-7430
Published by the Legislative Assembly of Ontario



Service du Journal des débats et d'interprétation
Salle 500, aile ouest, Édifice du Parlement
111, rue Wellesley ouest, Queen's Park
Toronto ON M7A 1A2
Téléphone, 416-325-7400; télécopieur, 416-325-7430
Publié par l'Assemblée législative de l'Ontario

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
THE LEGISLATIVE ASSEMBLYCOMITÉ PERMANENT DE
L'ASSEMBLÉE LÉGISLATIVE

Tuesday 29 August 2006

Mardi 29 août 2006

The committee met at 0959 in the Maples of Ballantrae Golf Club in Stouffville.

SUBCOMMITTEE REPORT

The Chair (Mr. Bob Delaney): Good morning, everyone. This is the standing committee on the Legislative Assembly. We're meeting this morning to consider Bill 52, An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act.

Our first order of business this morning would be the reading of the subcommittee report on committee business. Ms. Mossop.

Ms. Jennifer F. Mossop (Stoney Creek): Your subcommittee met on Tuesday, July 11, 2006, to consider the method of proceeding on Bill 52, An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act, and recommends the following;

(1) That the committee meet for public hearings on August 29, 30, 31, 2006, and that the committee travel to Whitchurch-Stouffville, Leamington and Hamilton, subject to witness demand, travel logistics and as outlined in the whips' agreement.

(2) That the committee meet from 10 a.m. to 5 p.m., subject to change, witness demand and travel logistics.

(3) That a minimum of six presenters (one hour) is required to warrant travel to Whitchurch-Stouffville, Leamington or Hamilton, and that if travel is not warranted to a location, witnesses in that location be offered videoconferencing.

(4) That the clerk of the committee post information regarding public hearings on Bill 52 on the Ontario parliamentary channel and the committee's website.

(5) That the clerk of the committee place an ad in the Globe and Mail and the Hamilton Spectator and also in the weeklies providing coverage to Whitchurch-Stouffville and Leamington and their surrounding areas.

(6) That interested parties who wish to be considered to make an oral presentation on Bill 52 contact the clerk of the committee by 4 p.m. on Wednesday, August 23, 2006.

(7) That the deadline for written submissions on Bill 52 be 5 p.m. on Thursday, August 31, 2006.

(8) That witnesses be offered a maximum of 10 minutes for their presentation.

(9) That the research officer provide the committee with background information on other jurisdictions with similar legislation prior to the start of public hearings, and that the research officer provide the committee with a summary of public hearings the week of September 11, 2006.

(10) That dates for clause-by-clause consideration of Bill 52 be determined by the committee once the House resumes in September 2006.

(11) That the clerk of the committee, in consultation with the Chair, be authorized, prior to the adoption of the report of the subcommittee, to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

The Chair: All in favour of the adoption of the subcommittee report? Opposed, if any? Carried.

Mr. Frank Klees (Oak Ridges): Chair, if I might, I have some questions relating to that report. I understand that hearings have in fact been cancelled for Leamington.

The Chair: Correct.

Mr. Klees: Do we have the information on how many submissions were requested for Leamington?

The Chair: There were four, and the clerk advises they were all accommodated in Hamilton.

Mr. Klees: With regard to the advertisement for that area, can you confirm that there was an ad placed in the Windsor Star?

The Clerk of the Committee (Ms. Tonia Grannum): The Windsor Star? I can't confirm. I can find out for you. I know we did the Leamington paper, the weeklies and the surrounding area. I can check.

Mr. Klees: Okay. The reason I say that is the Windsor Star is one of the major newspapers in that area, including all of that southwestern area, and it would have been imperative that the Star be included. I was just surprised that we only had four submissions from that entire Essex county area. I would be very interested to know what the circulation was that we included in the advertisements.

In the same respect, I would ask that tabled with the committee is a list of the newspapers in which ads were placed both for this hearing, as well as the Hamilton hearing.

The Chair: The clerk will provide that information. Further comments? Thank you.

EDUCATION STATUTE LAW
AMENDMENT ACT
(LEARNING TO AGE 18), 2006
LOI DE 2006 MODIFIANT DES LOIS
EN CE QUI CONCERNE L'ÉDUCATION
(APPRENTISSAGE JUSQU'À L'ÂGE
DE 18 ANS)

Consideration of Bill 52, An Act to amend the Education Act respecting pupil learning to the age of 18 and equivalent learning and to make complementary amendments to the Highway Traffic Act / Projet de loi 52, Loi modifiant la Loi sur l'éducation concernant l'apprentissage des élèves jusqu'à l'âge de 18 ans et l'apprentissage équivalent et apportant des modifications complémentaires au Code de la route.

ONTARIO CHRISTIAN HOME
EDUCATORS' CONNECTION

The Chair: Our first submission this morning is Ontario Christian Home Educators' Connection, Mr. Bill Groot-Nibblelink. If you're here, please come forward. Good morning and welcome this morning. You get the first word. You'll have 10 minutes for your submission. If you leave any time remaining, I'll divide it among the parties for questions or assign one question, if time is insufficient, to one party. Please state your name for the purposes of Hansard and continue.

Mr. Bill Groot-Nibblelink: My name is Bill Groot-Nibblelink. Mr. Chairman, members of the standing committee on the Legislative Assembly, Clerk Grannum, thank you for giving home-educating parents the opportunity to present our concerns with the amendments being proposed under Bill 52.

As I said, my name is Bill Groot-Nibblelink and I am representing the Ontario Christian Home Educators' Connection or OCHEC. We are asking that a specific procedure be developed that will allow home-educated teens between 16 and 18 to obtain their driver's licence without the involvement of a local school board.

OCHEC is a provincial home education organization created to link together and provide support to local home education groups throughout the province. Currently, we have 51 home education support groups that are members of OCHEC. We publish a quarterly newsletter and organize an annual convention at the Hamilton Convention Centre. This year, over 1,100 people attended that convention.

In real terms, we represent approximately 2,000 families and over 5,000 children. Using a ballpark figure of \$8,000 per student per year for education in the public system, we save the taxpayers of Ontario \$40 million a year by educating our children at home, and the results are impressive.

A 2003 study of home education in Canada showed that "9th to 12th graders scored, on average, at the following percentiles: in reading, 85th; in language, 84th; and in mathematics, 67th." That's a full 17 to 35 per-

centiles above the Canadian norm. The study also showed that among home-educated graduates, 40% have participated in cross-cultural exchange programs, almost all hold at least one volunteer position, the majority have voted within the last five years, and they show a higher average life satisfaction score than most other normed subgroups in western society.

Home education therefore produces individuals who excel academically, socially and in their contribution to society.

My point in all this is to respectfully ask that home-educated teens be given the respect they deserve and not be forgotten in the process of considering these amendments under Bill 52.

We appreciate the fact that subsection 21(2) of the bill clearly states that "a person is excused from attendance at school if ... the person is receiving satisfactory instruction at home or elsewhere." The difficulty comes when we get to section 21.2. In order for a home-educated, 16-year-old to apply for a driver's licence, it appears that they will have to go through their local school board to obtain a confirmation of compliance with section 21. Since we, as home educators, are already in compliance with section 21, we fail to see the need to involve our local school board and, in fact, we don't understand how a local school board could even legitimately issue such a confirmation. It simply adds another unnecessary and untenable layer of bureaucracy.

As home-educating parents, we have chosen this method of instruction so that we can tailor the education of each child to their particular strengths and weaknesses, both in terms of academics and character building. The many diverse courses of study used by home-educating parents are, in fact, the very strength of home education. Our experience with school boards, however, shows that they are ill-equipped to deal with this diversity and have, in some instances, tried to impose a one-size-fits-all approach in their involvement with home-educating families, and we wish to avoid this.

OCHEC, together with the Ontario Federation of Teaching Parents and the Home School Legal Defence Association, is offering an alternative solution. Since the parents of home-educated students are the only ones who can legitimately confirm compliance with section 21, our proposal is that a form be developed like the one attached as an appendix to the printed copy of this presentation. Home-educating parents would complete the form on behalf of the home-educated student, indicating that the student is receiving instruction at home. To add additional credibility, the parent would be required to have it signed by a guarantor, much the same as you or I do now for our passport applications. The student would then present this form to the Ministry of Transportation when they make application for their driver's licence.

The bottom line is that we are asking you to make provision under Bill 52 to allow for home-educated teens to apply for their driver's licence directly to the Ministry of Transportation without the added burden of involving the local school board.

Many of our members come from rural areas where a driver's licence is critical for teens to access part-time jobs. This bill, as written, would add another hurdle for home-educated teens that could particularly impact opportunities for those in rural areas.

My son, Nathan, is here with me today. Nathan, maybe you could stand for a minute. Even though I am speaking on behalf of OCHEC, I'm also here on Nathan's behalf. Nathan is educated at home and yes, even though it's still August, today is a home school civics lesson, civics that affect him directly.

1010

Nathan is a normal teen. He plays hockey in the winter and baseball in the summer. During the fall and winter, he also sings and dances in a 40-member performing arts group called Spirit Borne. He plays piano and has graduated the seventh grade from the Royal Conservatory of Music. This summer he sang in an a cappella group. He helps with the sound system at our church and volunteers about once a month at a local thrift store.

Nathan loves math and is at least a year ahead of his public high school counterparts in his studies. At this point, he's considering engineering as a possible career, so his education is being slanted in that direction.

In September, Nathan turns 15. In a year from now, he would like to have the opportunity to apply for his driver's licence without having to justify himself to our local school board. I hope that you will work hard to give him that opportunity. Thank you.

The Chair: Thank you very much for your deputation. We have time for one brief question, and that would be Mr. Klees.

Mr. Klees: Thank you, Mr. Groot-Nibbelink, for your presentation and also thank you to your son for being here. What I appreciate about your presentation is that it's practical, to the point and you make a recommendation. I would hope two things: first of all, that the government would withdraw this bill because it is so terribly flawed, it makes no sense at any level.

Having said that, your recommendation, should it proceed, that at the very least the government would consider taking your advice, because certainly there is no reason why we would invoke the local school board in this process. In fact, we have had many submissions, not only from people such as yourself who are in a home-schooling situation, but even the Ontario Secondary School Teachers' Federation has made it very clear that they see the implementation of this as incredibly cumbersome and that it would only create additional bureaucracy, not only for the school board but for teachers and principals alike.

It's a positive recommendation. Certainly we will be supporting that, and we hope the government will see the benefit of your recommendation. Thank you.

The Chair: Thank you very much for coming in this morning. That concludes the time that we have for your presentation.

ONTARIO ENGLISH CATHOLIC TEACHERS' ASSOCIATION

The Chair: The Ontario English Catholic Teachers' Association, Toronto. Donna Marie Kennedy, please. Are they here?

Ms. Donna Marie Kennedy: Yes.

The Chair: Good morning and welcome. You'll have 10 minutes for your deputation. If you leave any time remaining, I'll divide it among the parties or assign the remaining time to one party for questions. Please begin by stating your names for the purposes of Hansard and proceed.

Ms. Kennedy: Thank you. My name is Donna Marie Kennedy. I'm president of the Ontario English Catholic Teachers' Association. On my right is Jeff Heximer, a staff officer with our association.

The Ontario English Catholic Teachers' Association (OECTA) represents 36,000 women and men who teach in the elementary panel from junior kindergarten to grade 8, and in the secondary panel in grade 9 through grade 12 in Ontario's publicly funded Catholic schools.

First of all, thank you for giving us the time to present to you today. As you know, we represent teachers in both the elementary and secondary Catholic school systems in Ontario. We represent 12,000 teachers in our secondary schools.

We have an active participant in the Student Success Commission that advises the Minister of Education on all matters regarding secondary school reform, and that includes equal representation by boards and teacher affiliates and other representation as well. Locally, OECTA is co-operating to implement student success initiatives during the current four-year collective agreements that expire in August 2008.

We would like to caution that the credibility of the Student Success Commission could be compromised if Bill 52 pre-empts the productive consultation under way at this commission, and that is a serious concern for OECTA. We are particularly concerned by the government's plan to coerce some students to remain in school or participate in approved equivalent learning opportunities by connecting eligibility for a driver's licence to compulsory school attendance until age 18.

The government's plan to make the education system more responsive to student needs, help students feel more engaged and offer learning choices that are relevant are extremely valuable and laudable, and we support the government in this, but we question the value of the equivalent learning and how it will be delivered.

Under Bill 52, the Education Act is to be amended to authorize regulations that would enforce school attendance to age 18. Under the legislation spelled out in section 21, every applicant for a driver's licence under the age of 18 must be attending school to be eligible to apply for a driver's licence or for an endorsement on their driver's licence to take a practical or written examination for a driver's licence or endorsement. This connection to the Highway Traffic Act is problematic.

Bill 52 spells out at length the new bureaucratic responsibilities assigned to schools for implementation of the revisions of the Highway Traffic Act. These duties will most certainly distract the principal and academic staff from the teaching activities that are their primary purpose. Linking eligibility for driving permits to compulsory school attendance could generate numerous requests for compliance confirmation as well as non-compliance appeals. While preparation and local adjudication of each request might take the principal just one day, the time could accumulate quickly in some large schools. Even though compliance tasks may be transferred to a teacher, teaching and learning would be trumped by bureaucratic duties. Furthermore, money spent to administer section 2—compliance—is money that should be spent on quality education in the secondary classroom.

Under subsection 30(5) the compliance measures also would encompass suspension of driving permits as a result of habitual school absence. The public relations consequence of what would be seen as school-based barriers for young drivers could detract from delivery of quality programs that genuinely help students achieve. Therefore, we make two recommendations: that application for or suspension of driver's permits not be reliant upon school attendance and that all references to the Highway Traffic Act be excluded from Bill 52.

Enabling equivalent learning: The preamble to Bill 52 refers to "pupils with different learning styles" and "real choice through equivalent ways of learning that meet the requirements of the Ontario secondary school diploma." The legislation is intended to enable the development of learning opportunities for pupils that falls "outside the instruction traditionally provided by a board," termed "equivalent learning" in the act. OECTA is committed to the tenet that all secondary school students deserve an equal opportunity to graduate with a high school diploma.

OECTA and the government both oppose the voucher system and OECTA cautions that attaching student grants to external credit opportunities could be interpreted by some as a regulated voucher system. This would undermine the public school system and would be unacceptable to OECTA.

Section 1 of Bill 52 adds "equivalent learning" to the definitions found in the Education Act and includes colleges, universities and schools of music or arts. This portion of the definition does not really change the status quo. As it is written, there is no guarantee in Bill 52 that these equivalent learning opportunities will be required to adhere to the normal standards of instructional rigour.

However, the bill proposes to include community groups or other national and provincial programs for youth. The legislation does not limit access to community groups, regardless of their affiliations. Furthermore, at section 2 of Bill 52, the minister would have the regulatory authority to approve providers of equivalent learning and compel boards to enter into agreements to provide external credits. When these agreements produce

revenue for the providers, the ministry has legislated the voucher system. Alternatively, the ministry is contracting out education to private providers. If you look at the BC model, you see credits given for snowboard instruction, the Canadian Pony Club, boating courses etc.

The last government attempted to provide financing to private schools through tax credits. Private school interests will certainly fill the void about to be created by Bill 52. These amendments do not improve upon the status quo.

Beyond leaking public money to private interests, Bill 52 does not establish requirements for authenticating the work which students complete to earn equivalent learning credits. There is no requirement that the provider report grades or curriculum to the home school. The provider will not use the provincial curriculum, nor is there a requirement that teachers or instructors be regulated by the Ontario College of Teachers or supervised by a provincially regulated appraisal system.

According to the legislation, an approved provider stands to receive public money. This is unacceptable to OECTA.

Therefore, we recommend that Bill 52 be amended to exclude the definition of equivalent learning beyond the current practices of prior learning assessment, that Bill 52 be amended to exclude the recognition of providers of equivalent learning and that bill 52 be amended to prohibit agreements between boards and providers of equivalent learning.

1020

We do have an alternative vision for student success. Connecting eligibility for a driver's permit to school attendance is proposed as a way to keep students in school. The best incentive for school retention would be to ensure that school is relevant to secondary school students and connected to post-secondary learning opportunities and future employment.

Apprenticeships that are linked to employment opportunities and meet the classroom and work requirements, as set out by respective trades, deliver the most value to the economy and to individual students. The key to the success of any apprenticeship program is the connections that the school makes for the pupil through workplace training to employment as a skilled worker. A bona fide apprenticeship program would train skilled workers for the Ontario economy and offer job placements at the same time.

The Chair: Just to let you know, you have about two minutes.

Ms. Kennedy: Co-op placements could be improved if they included a return to the classroom so that workplace experiences could be reinforced with specific technical courses. Currently, co-op education placements frustrate employers because they know that co-op students are not subject to the same rigorous class work connected to work placements, nor are these co-op students expected to come on line as employees. A clear articulation between schools, employers and unions to provide a thorough course and experience package that delivers holistic training to skilled workers is desirable.

Ontario secondary schools are staffed by qualified teachers who are supervised under a provincially regulated model, deliver a provincially controlled curriculum and grade student achievement according to provincial expectations. This model also controls cost for the provincial government compared to similar learning at post-secondary institutions.

There is no need to offer secondary credits on a retroactive basis.

Our last recommendation is that Bill 52 include measures to direct boards to enter into articulation agreements with colleges, universities and training institutions, such that secondary students enrolled at secondary schools can earn advanced standing at those colleges, universities and training institutions without paying tuition. Thank you.

The Chair: Thank you very much. That concludes the time we have available for your deputation, so I'm afraid there won't be time for any questions. I want to thank you for your work in preparing your brief and for coming to present to us this morning.

ONTARIO FEDERATION OF TEACHING PARENTS

The Chair: The Ontario Federation of Teaching Parents, Katie Toksoy and Donna Sheehan. Good morning and welcome. If you've been here a little while you'll know you have 10 minutes for your deputation. Please begin by stating your name for the purposes of Hansard and proceed.

Ms. Katie Toksoy: My name is Katie Toksoy and I'm here to represent the Ontario Federation of Teaching Parents. Unfortunately, Donna Sheehan wasn't able to join me today.

I'd like to first give just a little overview of the home-schooling perspective in 2006 in Ontario.

Ontario has a strong and vibrant home-schooling network. The two provincial umbrella groups are OFTP—my group—and the Ontario Christian Home Educator' Connection, which you heard from earlier this morning. Our two groups advocate for the collective interests of our membership with various stakeholders such as the provincial government and school boards. Each organization also provides support and information for the home-schooling community in the form of newsletters, conferences and Internet chat groups. While some families are members of both organizations, OFTP is non-sectarian while OCHEC supports a Christian perspective.

Among the many resources available to home-schoolers there are local support groups which organize activities, field trips, conferences, learning co-ops with other home-schooled students and meetings with educational speakers. Home-schoolers also participate in local community activities such as theatre groups, athletic clubs, service organizations and church activities. Some students will take one or two courses at a local public school or high school with a sympathetic, supportive principal or even take courses at a day school or a

community college. Tutors may be sought to teach particular skills, such as a foreign languages or musical instruments.

More and more parents in Ontario feel confident in their ability to make available educational resources as their children prepare for post-secondary education. The availability of the resources via the Internet, e-mail and libraries makes information on any topic easily accessible to home-schooled students. Additionally, a whole industry has developed that caters to the home-schooling population, making science equipment, textbooks, curricula and, indeed, entire high-school programs custom-made, even with a diploma upon completion, if that's the route the family wishes to take. There are e-learning courses, correspondence college and university courses, advanced placement courses and distance diploma opportunities.

In Ontario, the ILC, the Independent Learning Centre, and the Virtual Learning Centre offer a good selection of high school credits which home-schooling students may avail themselves of. Some of our local students are also taking courses through the Alberta Distance Learning Centre, New Brunswick Community College, School of Tomorrow Canada in Manitoba, and Athabasca University in Alberta. Others have chosen to take courses through institutions based in the United States.

With this dizzying array of academic resources available, combined with activities organized by local home-school support groups and communities, home-schooled students are able to pursue their interests and develop their skills without the limitations that would be imposed in a more traditional, four-brick-wall setting. Therein lies one of the great strengths of a home-schooling approach: Parents are able to provide curricula that challenge students and learning opportunities which can be found beyond the limits of their own community.

Today I'm here mostly to talk about the teenage home-schooled students, whom you've met a couple of already today. Teenage home-schooled students have the luxury to pursue more than academics, like managing a goat farm, for example, training for a triathlon or volunteering to build a church in Mexico. Affirming the academic achievement of home-schooled students in Ontario, in 2002 a commitment was made by the registrars of all 20 universities in our province to develop admissions policies for home-schooled applicants. These applicants would not possess an OSSD. To date, Guelph, Brock, McMaster, Ottawa, Toronto, UOIT, Waterloo, Wilfrid Laurier, York and Redeemer have developed a formal admission policy for home-schoolers. The following universities do not have a formal policy but do assess applicants on a case-by-case basis: Queen's, Laurentian, Windsor, Carleton, Lakehead and OCAD. Still developing policies are Ryerson, Trent and Nipissing.

It is a fact that thousands of home-schoolers across North America have done well when they entered or re-entered the conventional schools, the workforce or college and university. It's testimony to the commitment

of their home-schooling families to the ultimate success of their children.

I have three points that I'd like to make to the committee today which are connected to Bill 52: first of all, to say for the record that we do think that there's a good side and a bad side to Bill 52. The good side is that the government is seeing that there's a diverse student population and that they need to increase the variety of educational opportunities for these students. We do feel that mandated attendance is not an effective way to make potential dropouts interested in learning, however. It really is ultimately the parents' choice and responsibility to enforce attendance, based on an intimate knowledge of their teen's talents and educational needs.

This legislation threatens the autonomy of families who choose to home-school. The members of OFTP feel that the main idea of forcing students to stay in school until they are 18 or graduate is really misguided. Linking two unrelated activities, school attendance and driving privileges, within Bill 52 suggests a fundamental lack of trust in Ontario's youth and their parents, whose right it is to choose educational opportunities and resources that serve their children's best interests. Ontario's teens need to know that they have the ability to choose the path that is best suited to their unique career and life goals without coercion from the government. For these reasons, OFTP does not support the parts of Bill 52 which threaten to link driving privileges and permission to work during school hours with compulsory school attendance.

Our second point: We see that it has passed second reading, we see there's a lot of support in the government, and the bill could pass. If the bill does pass, we'd like to propose that home-schoolers are expressly exempted from the following article, 21.2, which is exactly the same point that Bill Groot-Nibbelink made this morning, saying that we do not want to be involved with local school boards in confirming home-schooling status. Since home-schoolers are already excused from attendance at school under section 21.2—there's a typo there in the document; it's 21(2) of the Education Act—our members see no reason to involve a local school board in confirming their compliance with Ontario's laws. Actually, the local school board would have no knowledge or record of these students, so it would be impossible to legitimately confirm the home-schooling status of a particular student.

1030

The Chair: Just to let you know, you have a little less than two minutes to go.

Ms. Toksoy: Okay. Have I gone over the 10 minutes?

The Chair: No, you've got a little less than two minutes.

Ms. Toksoy: The last point is that if there is going to be proof needed if this bill passes and becomes law, home-schooling parents would expressly like to have direct contact with the Ministry of Transportation and avoid the whole route of going to the local school board, which has little understanding or knowledge about what home-schooling practices we are undertaking. With this

same form that you've seen, I've attached here on the document a guarantor's statement which seems to give credibility and confirmation of home schooling status, which is our right under law. Thank you.

The Chair: Thank you very much. If Mr. Marchese has a brief question—

Mr. Rosario Marchese (Trinity-Spadina): How brief is brief?

The Chair: Under a minute, question and answer.

Mr. Marchese: Okay. Thank you, Ms. Toksoy. New Democrats agree with the points that your organization makes, that mandated attendance is not an effective way to make potential dropouts interested in learning and, the second point in the second paragraph, that this is misguided. We believe profoundly that it is misguided. There's no evidence to show this works anywhere. We think this is more politics than pedagogy, and we agree with you and all the other critics. We hope that this bill doesn't pass, that you won't have to be exempted yourselves, because I think everyone else should be spared the problems that this bill would entail.

Have you talked to the minister or ministry staff or any politician about this, and what have they said to you?

Ms. Toksoy: Yes, we had a meeting with Kathleen Wynne in May, with her office. We didn't talk about the idea behind linking a driver's licence to school attendance. However, we did discuss this passport-style guarantor option, and it was received well.

The Chair: Thank you very much for coming in this morning.

ONTARIO ASSOCIATION FOR COUNSELLING AND ATTENDANCE SERVICES

The Chair: Our next presentation is the Ontario Association for Counselling and Attendance Services, Barb MacFarlane and Shelley Steacy.

Ms. Barb MacFarlane: Good morning.

The Chair: Welcome this morning. If you've been following the procedure, you'll know you've got 10 minutes for your presentation. If you leave any time remaining, we'll get one or perhaps more questions in. Please begin by stating your names for the purposes of Hansard and then proceed.

Ms. MacFarlane: My name is Barbara MacFarlane. I'm the president of the Ontario Association for Counselling and Attendance Services. I am an attendance counsellor of 25 years, and I work for the Algonquin and Lakeshore Catholic District School Board.

The Ontario Association for Counselling and Attendance Services has represented attendance counsellors employed by Catholic and public district school boards for over 50 years. Our purpose is to uphold the rights of young people in the province of Ontario to receive an education, as mandated by the Education Act and its regulations, which outline the legal responsibilities to ensure compulsory attendance for school-aged children and youth.

As members of this association, we are committed to advocating on behalf of the following core values.

Children's rights and responsibilities: By this we mean every child in Ontario has the right and responsibility to receive and acquire a high quality education.

High standards of professionalism: We actively identify, clarify and implement best-practice standards for all those working within our profession, including a recently implemented training program for current and prospective attendance counsellors.

Collegial support: We are dedicated to ensuring that all members of our association receive high-quality communication, professional development opportunities and the mentoring they require to be effective in the delivery of their professional responsibilities.

The Ministry of Education announced in the fall of 2004 the intent to raise the age of compulsory education and to include youth between the ages of 16 and 18 years. It is our belief that the children and youth in Ontario have a right to an education that is now entrenched in the Education Act of Ontario. The Supreme Court of Canada, in *Jones versus Alberta* in 1988, confirmed that the state has the right to uphold and protect education in a free and democratic society.

This amendment to the Education Act in Bill 52 will allow these youth who are disengaged from the school system many new pathways to further explore their educational interests and move toward graduation. Student success will depend on the school system creating a community that sees the unique characteristics and interests of each student in a culture that affirms the learning styles of each youth. This transformation has been witnessed in the new funding for student success, co-operative education, apprenticeships, alternative education and curriculum changes.

If we are to continue to build on these successful outcomes and to re-engage these alienated youth, we must be committed to long-term support for these youth, with new opportunities for mentorship and increased attendance counselling services. These principles are affirmed in the *Early School Leavers* report of 2005, authored by Dr. Ferguson of Sick Children's Hospital in Toronto, Ontario, and the C.D. Howe Institute paper *Stay in School: New Lessons on the Benefits of Raising the Legal School-Leaving Age*, also authored in December 2005, by Philip Oreopoulos.

We request that the Ministry of Education give the association an opportunity to assist in the development of the policy memorandums that will follow after royal assent is given to this legislation. It is important that we continue this partnership with the ministry in order to enhance the successful integration and transition for these young people returning to school to seek new pathways that will give them a diploma, post-secondary education and/or employment opportunities for their future.

Ms. Shelley Steacy: I'm Shelley Steacy, the eastern region representative from the Ontario Association for Counselling and Attendance Services. I've been an attendance counsellor for three years with the Hastings and Prince Edward District School Board.

When we think of the word "truant," the first image that comes to mind is often one of a quaint character ditching school to go fishing with a buddy on the riverbank. However, as I'm sure you will agree, the profile of today's truant is much more complex. I'm going to share a case with you and will refer to the student in this case as Tom Sawyer.

Tom Sawyer was referred to the attendance counsellor in his grade 9 year, as he had stopped attending school. After numerous visits to Tom at home, a therapeutic rapport was established. Once this rapport was established, the attendance counsellor learned the following about Tom.

First, Tom had witnessed extreme violence toward his mother at the hands of her common-law partner of several years. Along with watching his mother being verbally and physically abused, he had suffered the same treatment. On two occasions, Tom witnessed this man try to choke his mother to death. Added to this, his mother's partner attempted to run over Tom with a van. The police were called and charges were laid. Following this incident, Tom was sent to live with his biological father, Mr. Sawyer. Tom lamented to the attendance counsellor on several occasions that his mother had chosen her partner over her own children, and Tom struggled to understand why.

Second, Tom was suspended on numerous occasions from Sunny Day Secondary School for continual opposition to authority, along with verbal abuse of authority figures and general out-of-control behaviour. Several alternative-to-school placements were set up for Tom but were not successful due to Tom's lack of commitment and follow-through. Tom told the attendance counsellor that all he wanted to do was sleep and that he would sleep to avoid interaction with his father and older brother and other stressors. Tom told the attendance counsellor that he would often sleep from 10 p.m. one night to 6 p.m. the following night.

The attendance counsellor discussed this concern with his father, who agreed that Tom was in need of an assessment by his family doctor to determine whether or not Tom was depressed or possibly suffering from post-traumatic stress disorder. An appointment was scheduled, but Mr. Sawyer did not follow through with taking Tom to the appointment. Another appointment was scheduled, and with Mr. Sawyer's permission, the attendance counsellor provided transportation to the appointment. Tom was uncommunicative with his doctor and therefore no diagnosis could be made.

At different times, CAS was contacted by the attendance counsellor, but Tom was not seen as a child in need of protection. The local mental health agency was unable to provide support, as Tom refused to consent to their services.

Throughout these interventions, Tom continued to be absent from school, and the attendance counsellor laid a charge of habitual absence. Tom was found guilty and sentenced to a term of probation. Tom continued to be absent from school.

Another case conference was coordinated by the attendance counsellor at the school. It was attended by the principal, the probation officer, the local mental health agency's intake worker, Mr. Sawyer, Tom, and the attendance counsellor, in another attempt to provide Tom with support, thereby improving his attendance. At this meeting, Mr. Sawyer appeared to be confused in his thought patterns. His speech was slurred and he was at times difficult to understand. This was not the first time Mr. Sawyer had attended a meeting in this condition. After a lengthy discussion around poor school attendance and oppositional behaviours at school, along with Mr. Sawyer's attempts to provide insight into Tom's history, Tom broke down into tears. It was decided that Tom or his dad would contact the local mental health agency for support. Neither Tom nor his father followed through with this plan, despite numerous reminders from the attendance counsellor. In a conversation with Mr. Sawyer, he stated that he failed to see the value of the service.

1040

The Chair: Just to remind you, you have about two minutes.

Ms. Steacy: He further stated that, due to his frustration with Tom not attending school and his escalating defiance at home, he was planning to send Tom back to live with his mother and her partner.

By this time, over one year had passed since Tom's initial referral to the attendance counsellor. The attendance counsellor prepared a referral package and sent it to the children's aid society. Eventually, Tom was taken into care and placed with a very caring foster parent. Tom began to attend school with continued support from the attendance counsellor until his 16th birthday.

We wanted to share this case with you to provide insight into the nature of our profession and the level of service required by the students on our caseloads. Based on our current caseload numbers, we can only assume that with the passing of Bill 52, our roles will expand. At this point, there does not seem to be any mention of amendments to subsection 25(1) of the Education Act, "School attendance counsellors," which currently states, "25(1) Every board shall appoint one or more school attendance counsellors," and, further, subsection 25(5), "Jurisdiction and responsibility of school attendance counsellor," and subsection 26(4), "Inquiry by counsellor and notice."

We believe the current provincial complement is not going to be sufficient to properly enforce the change to this legislation. Across the province, we do not believe staffing to be adequate and would appreciate this matter being addressed, if possible, through the legislation, but if not, then at least through a funding source.

Thank you for your attention.

The Chair: Thank you very much for your time this morning. That concludes the time that we have for your deputation. I'm sorry; there won't be any time for questions based on that.

ONTARIO SECONDARY SCHOOL TEACHERS' FEDERATION

The Chair: Our next presentation is from the Ontario Secondary School Teachers' Federation, Mr. Ken Coran. Good morning, and welcome. You'll have 10 minutes to give your deputation before us this morning. If you leave any time remaining, we'll divide it among the parties for questions. Please state your name for the purposes of Hansard and proceed.

Mr. Ken Coran: Thank you, and a good location. I wish I had my golf clubs with me.

My name is Ken Coran, and I'm the vice-president of OSSTF. With me is Craig Brockwell, one of our legislative assistants at OSSTF.

I would like to thank the committee for allowing the Ontario Secondary School Teachers' Federation this opportunity to provide our response on this important piece of legislation. Given the time limitations today, I will highlight only some of the comments from our more detailed brief.

OSSTF represents 50,000 teachers and educational workers in every school board across the province, as well as both Brock and Algoma University. Each and every one of our members understands the importance of achieving a high school diploma to our students' future successes.

OSSTF supports and applauds the preamble to Bill 52, in which the government articulates a number of strong belief statements about learning until age 18. It is because OSSTF believes in these statements that one of the planks in the OSSTF student success platform for the last provincial election was that "every student will stay in school until age 18." The government's version of the OSSTF plan, however, does not require students to remain in secondary schools while they do this learning, but recognizes such "equivalent learning" locations as workplaces or activities offered by community groups. It is the details of these "equivalent learning" establishments which cause considerable concern for OSSTF members. We note that acceptable learning locations will be further defined in ministry and board policies and guidelines, which are subject to much less scrutiny than regulation. I ask that you review some of the questions in our brief that may highlight some of these concerns.

We are aware that a predominant reason for students currently leaving school early is a lack of engagement within the schools. Serious family and/or mental health issues, in most instances, also disadvantage those who have difficulties maintaining good attendance. These same students also are at considerable risk of experiencing low literacy levels, interpersonal and adjustment problems, and subsequent employment problems. Absence from school is usually just one symptom of many wider underlying problems in the lives of these children. They often come from families which are disadvantaged and torn. They therefore face major barriers to learning.

We would suggest that the best strategy to keep students learning to 18 is to increase the number of

professional supports in the school. The ministry should mandate these services and provide increased protected funding to ensure that they hire qualified school board employees. These members of the educational team hold professional degrees and provide counselling, crisis intervention, assessments and life skills to students headed to university, colleges or the world of work. A key role in the successful completion of high school is provided by our attendance counsellors, social workers and other professionals. All of these professionals have been instrumental in the identification of at-risk students as well as in interventions that contribute to their successes.

The Ontario secondary school diploma is held in very high regard nationally and internationally. We do not want to see the value of this diploma eroded. While a national youth program such as Katimavik has indisputable value, we are concerned about the inclusion of community agencies in the acceptable list. Could this open the door for religious groups or fly-by-night charities to offer themselves as centres of learning? Community agencies can and do vary widely. Reputable agencies may be suitable sites for co-op education placements, but only if a teacher supervises the students.

While colleges of applied arts and technology may offer some attractive programs, their instructors are not required to have any teacher training. Only trained, certified secondary school teachers, with the invaluable assistance of board-employed professional support staff, have the professional knowledge and skills to ensure learning and diploma success for teenagers of all learning styles, abilities and needs. OSSTF believes that secondary school principals must be the only individuals with the ability to grant credits. Secondary school teachers teach all existing dual-credit programs, and we believe that this practice must continue for any expansion of dual-credit offerings.

It is crucial that all aspects of the planned high-skills majors, specialization programs that will hopefully serve as an incentive for at-risk students to graduate and proceed to skilled careers, ensure the use of certified teachers.

Parents want their children taught by qualified teachers trained in pedagogy and accountable to the school board and to the college for their conduct. Instead of using the less costly alternative of simply sending students out to work and then counting their work experience as learning, OSSTF urges the ministry to fund more shops and technical programs and train more tradespeople as teachers of technological education using the summer internship programs already available.

The external credit experiences in both BC and Newfoundland which we outline in greater detail in our brief are of limited benefit to those students of greater risk of dropping out of school. Therefore, their usefulness as a model for the Ontario program, except perhaps for adult students, is severely limited.

Co-op education courses such as the Ontario youth apprenticeship program are of tremendous value to those students considering dropping out of school. It is import-

ant for the government to understand that these programs must be both funded and supervised properly if they are to remain effective.

Regarding the enforcement of Learning to Age 18 via the driver's licence, OSSTF members support the goals of the act, which intends to help motivate all students to stay in school, continue learning and earn a diploma. However, the heavy-handed enforcement provisions that were placed in Bill 52 surprised OSSTF.

These provisions will prove difficult, if not impossible, to implement and will sour parents and students alike on the program. The carrot will be more successful than the stick in this situation.

In closing, OSSTF offers the following recommendations for your consideration.

Recommendation (1): Amend section 2 of Bill 52 to ensure that one further paragraph be added to the Education Act, subsection 8(1), paragraph 3.0.1., namely that equivalent learning be taught or directly supervised by teachers (as already defined in the Education Act as members of the College of Teachers).

Recommendation (2): Provide additional targeted funding for expansion of co-op education and technical education programs and facilities.

And the final recommendation: Any and all references to the Highway Traffic Act should be eliminated from this proposed legislation.

Thank you.

The Chair: Thank you for your time. We will have time for a question. It's Ms. Wynne's turn to pose the question.

Ms. Kathleen O. Wynne (Don Valley West): Thanks for being here, both of you. I think you would agree that this is not an easy thing that we're trying to do in terms of reviewing the school-leaving age. Mr. Marchese says that he doesn't support mandating of students being in school; we already do that. But the last review was in 1954, so we think it's time to look at that again.

1050

You talked about parents wanting their kids to be taught by teachers and so on. I think the other piece of that is, parents want their kids to be successful. They want their kids to have the experiences they need to carry on in life. What we're trying to do here, and I know you know this, Ken, is provide alternatives that will engage those disengaged kids.

I hear your concern about the equivalencies and the standards. My question is this: In section 2 of the bill there's an outline of the minister's obligation. It's the minister's powers, but it's the minister's obligation to set standards, to set criteria. To me, it lays out pretty clearly that the minister takes responsibility, and therefore the government takes responsibility, for making sure that wherever those kids are going to be, the standards are going to be high enough that they're actually going to be learning something. I appreciate your participation in the Student Success Commission, because that's where some of those nuances are going to be dealt with. Can you just respond to the section in the bill where it lays out that responsibility?

Mr. Coran: At one of the last partnership table meetings I was at with Gerard, he was talking about just that, that the government has to be accountable for education standards and for success. That is already built into the system right now, though. If we have the framework, with qualified teachers, qualified administrators and qualified board personnel, it's already there.

Ms. Wynne: But if we want to push outside the bounds of that traditional classroom and allow kids to tailor their learning, which is what we're trying to do so that those 30,000 kids will actually stay in school, then we've got to push the envelope a little bit.

Mr. Coran: Well, you can push so far. Remember, these are students' lives you're pushing right now. We don't want to put a student in a situation where there could be a health issue, a safety issue etc.

Ms. Wynne: That's why the minister has the responsibility to set those criteria. So I just ask that you take a look at that, okay?

Mr. Coran: I'll do that.

The Chair: Thank you very much for your time and for your deputation this morning.

JUSTICE FOR CHILDREN AND YOUTH

The Chair: Justice for Children and Youth, Martha Mackinnon. Good morning, and welcome. You'll have 10 minutes for your deputation this morning. Please begin by stating your name for the purposes of Hansard and then proceed.

Ms. Martha Mackinnon: Thank you very much. I'm Martha Mackinnon, the executive director of Justice for Children and Youth. Justice for Children and Youth is Canada's only legal aid clinic that specializes in issues affecting children under the age of 18. Justice for Children and Youth was actually founded in 1978, and we've been following issues that affect the interests of young people for as long as anyone in this country. As I said, we're the only legal clinic of our kind.

I'm here today, first, to express my gratitude for the opportunity to see you personally and express our views orally. Secondly, I wanted to explain to you the process whereby we came to our position. Justice for Children and Youth has a policy committee that consists of experts in criminology, sociology, front-line workers at the kids help line—it's a variety of expertise—and it includes interaction with our youth advisory committee. As I arrived here this morning, I thought, "My goodness, if I were a 16- or 17-year-old, I'd find it hard to get here." So I have to be, I guess, the proxy for some of those 16- and 17-year-olds who might not own a car and might find it slightly difficult to get to Stouffville, beautiful though it is.

As a proxy for the voice of youth, the first thing that I wanted to say is, everyone wants young people to learn as much as they possibly can; you can't possibly disagree with that as a goal. Everyone wants young people to be as prepared as possible for the work world that they're going to enter. However, the Education Act is the only

major piece of legislation affecting children that does not recognize them as being more or less nearly adults at about 16. It's the only legislation that gives them basically no rights until they're 18, and this legislation pushes that one step further. Kids at 16 can leave home, they can live independently, they can work. Their parents don't need to support them. If they've left home, there are a variety of ways that many children—too many, I would say—are forced to live completely independently. And yet, to say that they must also be going to school when they're struggling with a variety of other issues places an extra burden on them. They cannot go into the care of children's aid by the time they have turned 16, so they can't even seek another parent if their own home is not an appropriate place for them to be.

That's a sort of global comment. In the submission that we've circulated to you, one of the requests we would make in addressing this set of amendments to the Education Act would be to give full status to 16- and 17-year-olds if they're living independently. There's a provision in the act that might or might not hint that that could be possible for some kinds of kids, but it's not in the legislation and it's not clear, and I think it needs to be. I think we can't just have a discretion that something might happen in the future for kids who have a perfect legal right to be living independently. I think they need all of their rights.

The second thing that I wanted to say is, again, while I support the goal of encouraging learning as long as we can, I'd agree with the speakers from—I didn't actually hear them introduced—OSSTF, the teachers who were ahead of me—that in the carrot and stick thing, the carrot is fine, but nobody learns well because they're forced to. Learning, like therapy and so many other things, occurs best when it is something sought out willingly. Therefore, the stick part, the provisions affecting the driver's licence, is not helpful and, in my submission, will have a significant adverse effect.

Where this has been tried in the United States it hasn't been effective. Indeed, kids have come quickly back to school and they've quickly left again because those same kids are not in a position where they are ready to be at school or where school has something that is right for them, or they have other things going on in their lives that are simply of higher priority or their families need them on the family farm. Whatever the reasons are, they haven't come back. What's happened is that it puts school principals in the awkward position of, "Do I rat out this kid, who is otherwise a good kid, to get their driver's licence cancelled, or do I, a principal, the head of a school, not co-operate with the law and put myself in an untenable position?" Both have happened.

Secondly, young people simply will drive. If you live in Napanee or outside of Napanee and you can't buy a quart of milk without a car, you're going to drive. So there will be young people who drive without a licence; it simply will happen. Those drivers will be uninsured, and somewhere along the line one of them is going to have an accident and there will be victims of an uninsured driver. That's an aspect of the legislation that I think no one can

have intended. No one can have wanted that unforeseen consequence, but to me it's entirely predictable that when you create an additional class of uninsured drivers, there will be adverse consequences.

The next area I wanted to address is really a supplement to the notion that the penalty provisions on driver's licences won't be effective. In addition, the current provisions that we have relating to—I'll call them fines and bonds. We already have provisions that we have used for truancy for students to this point. I don't know whether they're effective or not. I think they're somewhat effective when the student is young enough that their attendance at school is truly within the control of their parents. They're nine; their parents either get them to the school bus or they don't.

I represented a young girl once who wanted to be in the care of children's aid because her mother wouldn't let her leave home until she had fed the mother, who was hung over, fed all the rest of the children, made all their lunches. The girl could never make the school bus. Okay, I'd be happy to have that mother charged with truancy, which you can do. It's not clear to me that it's been effective to charge kids themselves with truancy. No matter what your hopes are out of a punitive model, I can tell you that there are judges in this province who believe that if you've got a law against it, which we do, and if a student is truant and you find them and put them on probation—even the fine is often not used, but the putting on probation is extremely common—

The Chair: Just to remind you, you have about two minutes.

1100

Ms. MacKinnon: Perfect—and if they are truant again, the thing that is likely to happen to many of them is, they're sent to jail. I can tell you that 30 days in jail does not improve a kid's regular attendance at school. They don't even get placed in a classroom, and all they've had is a custodial experience that exposes them to the wrong kids and doesn't help them to do continuous learning.

So what I would finish my presentation with is an irony. Ontario has really never said, "You have to go to school until you've learned so much." When I was a kid, you had to go to school until the end of grade 8. That's the closest we ever got. Then you had to go to school until 16, or you could drop out at 14 if a judge said so. Now you have to go to school until 16 unless a SALEP says so, and they place you in a learning environment that isn't a school. This says that you have to go to school until 18 unless you're in some other approved place, but what it doesn't say is, "You have to go to school until you can read and write well enough and you're numerate enough." If this were entirely focused on, "There are learning standards, period," then I think it would be easier for the underlying policies of increasing the learning of our students to be the dominant feature as opposed to the punishment. Thank you.

The Chair: That concludes the time that you have for your presentation this morning, so I thank you very much for the time that you put into this very thoughtful brief.

NICHOLAS DODDS

The Chair: Mr. Nicholas Dodds, please. Good morning and welcome.

Mr. Nicholas Dodds: Thank you very much.

The Chair: If you've been following along, you'll know you have 10 minutes for your deputation. If you leave any time, we'll try and get in a question or two. Please begin by stating your name for the purposes of Hansard and then proceed.

Mr. Dodds: My name is Nicholas Dodds, and I'd like to begin by thanking the representative for Justice for Children and Youth. She pretty much said exactly what I was going to say, so I'm not sure why I need to be here. But I do have some points that I would like to bring up.

First of all, regarding students representing themselves: I am a recent high school graduate; I graduated in June. I'm currently taking an apprenticeship in locksmithing through the Ontario youth apprenticeship program. I've been a long-time youth rights advocate, and coming from the perspective of someone who was recently in the age group that this particular bill will affect, I have some serious concerns regarding it.

First, I'd like to address the fact that this bill is biased in favour of urban, middle-class youth. Bill 52 is written with the unrealistic assumption that the students it affects are in supportive, healthy home situations where their needs are taken care of and they're not required to work full time to support their family or stay home to take care of their family. There are home situations where people do have to stay home to take care of their siblings, where they need to work full time to take care of their parents and the rest of their family, and this bill will prevent them from being able to do those things.

There are also people who are 16 and 17 who are in abusive home situations and need to be able to leave that home in order to avoid that abuse. If you're in an abusive home situation—and, again, you can't go into children's aid—if you can't go into foster care, then you need to leave home, and of course nothing is free. You need to work, get some sort of apartment or accommodation, and you need to be able to support yourself. Though it's unfortunate, quitting school in order to work or do other things is in some cases more beneficial than staying in school, but Bill 52 may prevent students from being able to avoid poverty or from escaping abusive situations.

Also, taking away a young person's driver's licence is entirely punitive and is unrelated to how thorough an education they get. Not only does this hinder already-at-risk youth from finding means to support themselves in some way if for some reason they do drop out, but it disproportionately affects youth in rural areas, where, because of their remote nature, taking away a driver's licence is tantamount to imprisoning someone, coupled with the fact that any business which employs a student during school hours will be fined. Of course, no business wants to be fined. I am very concerned about how this will affect at-risk youth, youth who have dropped out. It denies them a livelihood.

Finally, a point which is often not considered is that 16- and 17-year-olds, though commonly thought to be foolish and not mature enough to make their own decisions, are mature enough to make their own decisions. Often they can make informed decisions about their own lives. They are capable of self-determination in their personal affairs. I know I was. Introducing legislation that forces them to get some form of government-approved education up to the age of 18 is insulting. It denies a teen's right to his or her own destiny to make autonomous decisions. Again, coupled with the fact that they won't be able to work during school hours or have a driver's licence, it denies their right to a livelihood.

During these proceedings, there has been at least one reference to the right to receive an education—if we're on the subject of rights—and how learning to age 18 is fitting with this. One of the characteristics of a right is that you can't impose a right on somebody. A right is something which is available to someone and which they choose to exercise freely. When you impose something on someone, you are not granting them a right; you are coercing them. This bill will coerce students who otherwise would not like to be in school into staying in school until they're 18. The name of the act makes reference to "learning to age 18." Again, putting a student in a school environment will not make them learn.

My recommendation as a member of the public, as someone who has just graduated from high school, who has friends who are in the demographic that this bill will affect, is that this bill not pass. It's insulting towards youth. It doesn't take into account the fact that there are youth in certain home situations which are disadvantageous, to say the least, and I do believe it's biased. Thank you.

The Chair: Thank you very much. We should have time for a question.

Mr. Norm Miller (Parry Sound–Muskoka): Thank you very much, Nicholas, for your presentation today. I would like to point out that the Ontario PC caucus strongly opposes the punitive nature of this bill.

I like your points about rural Ontario. I represent Parry Sound–Muskoka in northern Ontario, where a car is basically essential for employment. So your points about how it imprisons a young person who, for whatever reason, is not able to stay in school or decides not to stay in school or has a family situation where they aren't able to stay in school, are well taken.

Is there anything positive about this bill? I've seen lots of submissions that have concerns with it and lots of editorials that I read on the way up here that are negative. Is there anything positive about it?

Mr. Dodds: About this bill particularly, I'm not completely sure—

Mr. Marchese: Make an effort.

Mr. Dodds: Right. I believe that the initiative that this bill is part of that is offering different venues for students to get an education—

Mr. Miller: We've heard about concerns from some organizations with the equivalency learning. You think that's a positive thing.

1110

Mr. Dodds: I think equivalency learning is excellent. I think it's really good. Again, I'm in OYAP, so I have first-hand knowledge. I'm going to be receiving an apprenticeship certificate in probably about two years. A lot of my classes are paid for. I was never a huge fan of school. I did enjoy certain aspects of it. But for me, at least, and I know for other students who struggle with school, I think that is absolutely wonderful. Though I know many people would be more comfortable with teachers who are certified teaching students and making decisions on whether they're ready for certain things or whether they've learned enough—

Mr. Miller: You don't have a problem if the person in the equivalent learning program is not a certified teacher. Is that what you're saying?

Mr. Dodds: No, I don't. I think it would probably be beneficial if they were, but I don't think it's 100% necessary. So yes, that is my take.

The Chair: Thank you very much, Nicholas. I'm sure we all hope that your apprenticeship in locksmithing will be a key to a very bright future. I want to thank you very much for your deputation this morning.

Our next deputant is Satinder Kohli.

MAVIS CALOW

The Chair: Is Mavis Calow here? Good morning. Make yourself comfortable. If you've been here longer than a few minutes, you know that the general procedure is that you have 10 minutes for your deputation. If you leave any time, one or more parties may be able to ask you questions. Please begin by stating your name for Hansard and then continue.

Ms. Mavis Calow: My name is Mavis Calow. I've been a resident of Durham for 25 years, the past five years in Goodwood in the township of Uxbridge.

Just a quote: "Bullying is an underestimated and pervasive problem. It is a proven precursor to violent behaviour and is never acceptable in Ontario's schools or communities." You may or may not recognize this quotation as that of former Ontario education minister Gerard Kennedy on the government's tough new anti-bullying bill. Ironically, Mr. Kennedy is also responsible for the introduction of a new form of disciplinary punishment in Bill 52. This bill will prevent students under the age of 18 from obtaining a driver's licence if they are not attending school.

My concerns—and I have no reason to be here, as I do not have a child of school age—are as follows: I feel the government is overstepping its bounds. I also feel that a bill of this magnitude should have extensive feedback from the public, perhaps a newsletter to the schools when September starts, suggesting meetings so that the parents who are going to be affected, especially up here, can put their voices in.

I am also concerned about the possible subjectiveness of decisions made by board personnel. With school administrative staff already nervous in dealing with parents,

imagine how anxious they're going to be to let their parents know that their sons or daughters are now deprived of their drivers' licences. I'm concerned about the impact, especially for learning disabled children who, as it has been pointed out in the review of the Safe Schools Act, are already being punished unfairly, it is felt.

Now, I think there's also a perception that members of Parliament are removed from reality here. Let's get off the Mike Harris bandwagon. There have been problems with the education system for years. Group learning has resulted in children incapable of individual decision-making. Our fear of calling a spade a spade has resulted in pushing students along from grade to grade, many with insignificant reading skills, which then results in children unable to do reading-based mathematical problems. No wonder they can't succeed in high school. Then comes along the accompanying poor self-esteem and loss of interest in school. It is the job of educators to find ways to re-engage these lost students. Punishing them by withholding driving privileges is not a logical consequence.

Rather than the principal or board designate spending time providing confirmation that a student is in compliance with section 21, or is exempt or having them handle appeals, I would prefer these resources be directed to improving the learning environment for children.

As far as the courts being involved, I can't even believe anybody would want to encourage that. They're already overwhelmed. There really isn't any more room in the courts.

I've taught learning-disabled children. I've sat in classrooms. I have a 23-year-old dropout who is now travelling across the world fixing multi-million dollar drill rigs. He was pulled out of school by me because he was wasting the taxpayers' money. He was playing games. Some of these kids really know how to play the system. My answer to him was: "You either go to school or you go to work." As a very wise person once said to me, "You can't put an old head on young shoulders." Sometimes these kids have got to get out into the workforce and learn. As my son would say to you, testing is done every day in the workforce, and you don't do a 40% or 50%—you're fired; you do 100%.

Thank you.

The Chair: Thank you very much for your deputation. We should actually have enough time for each party to ask you a question, beginning with Mr. Marchese.

Mr. Marchese: Thank you, Mavis. I think that you have spoken on behalf of most of the critics of this bill. We haven't had anyone agreeing today with this bill, and even the young man who talked about agreeing to the equivalency idea—I don't think he supports the bill, but he supports the whole notion of having co-op learning or apprenticeship learning. I believe the majority of people oppose this bill on reasonable grounds.

To draw an analogy, the Tories introduced the teacher test for first-year teachers. It was done for political reasons, not pedagogical, because we know that 99% of

the teachers passed the test. This government is doing the same with Bill 52. It's intended to make some parents feel good that they're holding on to the kids, but there's no pedagogical reason to do so. As Professor Bennett said, "I think it's important for kids to get as much education as they can"—who disagrees with that?—"but more of something that caused them to leave school in the first place isn't the answer." I believe that he's correct, that you're correct, that the previous speakers are correct: Kids need learning assistance if they're having difficulties. Holding on to them at age 17 to 18, when we haven't dealt with their learning difficulties, be they special ed or otherwise, isn't going to solve it. You agree with that.

The Chair: Thank you. Ms. Wynne.

Ms. Wynne: Thank you, Mavis, for being here. I'm just going to pick up—more of something; what we're trying not to do is do more of the same. Bill 52 is a framework for those other things that you said you agreed with: the dual credits that would allow kids to be in a secondary school setting, in a college setting at the same time getting credits; more co-op programs; those alternative equivalent learning environments; a high-skills major which would bring employers into the mix. Those are not more of the same thing. I'd like your comment on that, because without some legislation to put that framework in place, we're going to continue doing the same things that we've been doing.

We need to send a signal to the system and to society that we're confronting a conundrum. Kids do better if they have a secondary school diploma. Now, there are students who have supportive families and manage anyway, but on the whole, people do better in their lives, they earn more, they have lives that in terms of their careers are more satisfying if they have their secondary school diploma to start out with. Their opportunities are broadened. That's the conundrum we're facing, so that's what this legislation is about. It's the framework to try to do more different things to bring those kids along.

Do you agree that we need to do something to engage kids who are not being engaged at this point?

Ms. Calow: I think I already set that out. You definitely do need to do something to engage children, but not at that age. You need to start from a much younger age. There's no reason that once you've passed 16 you can't be out of school. There is no need for these kids to be in school till they're 18.

Ms. Wynne: So you would support the programs that we're putting in place for grade 8 kids to help them to get a boost on high school?

Ms. Calow: Yes.

Ms. Wynne: We're doing that too.

The Chair: Mr. Klees.

Mr. Klees: Thank you, Ms. Calow, for being here. We appreciate your input.

We who are charged with the responsibility of reviewing proposed legislation, those of us in opposition, side with every stakeholder who has presented here today. We have not heard one stakeholder support the punitive

aspects of this bill, and we're calling on the government to withdraw those sections. We've heard from teachers' unions today, we've heard from parents, we've heard from students. We've heard terms such as "misguided" and "impractical." We heard from Nicholas, a student who has just graduated, who said that this is insulting toward youth. We agree with all of those submissions, and we're calling on the government to reconsider.

1120

The one aspect of this bill that we support is the preamble, because we cannot find fault with that. We all want students to have the best possible education; we all want students to complete their education. But as you point out, it's the outcomes that we should be really focused on. There are students who will fall through the cracks here strictly because of a quickly put together piece of legislation, the purpose of which we cannot figure out. It may sound good in a sound bite, but it's false to impose this kind of punitive legislation on our education system. It won't work for students, it won't work for teachers, it won't work for school boards. It will not work. So we appreciate your submission. We hope that the government will listen and withdraw this legislation.

Ms. Calow: If I can just point out one thing, it's very easy to create a preamble for a bill and put down what everybody wants; it's a whole other thing to actually make it work. We've heard a lot of things the past couple of years about what we're going to do, but what has actually been done is quite different from what we were told was going to be done.

Mr. Klees: Thank you so much for that.

The Chair: Thank you for your time here this morning.

Mr. Klees: With that, Chair, could I ask for unanimous consent? The unanimous consent would be that, having heard a unanimous condemnation of this legislation, we agree—

The Chair: Mr. Klees, can we finish our deputations before we do your motion?

Mr. Klees: Sure, okay.

The Chair: For the second time, is Satinder Kohli in the room? Okay.

YORK REGION

ALLIANCE TO END HOMELESSNESS

The Chair: The York Region Alliance to End Homelessness. Good morning, and welcome. You'll have 10 minutes for your submission this morning. If you leave any time remaining, it will be divided among the parties for questions. Please state your name for the purposes of Hansard and then proceed.

Ms. Jane Wedlock: My name is Jane Wedlock. I would like to thank the committee for the opportunity to address you with respect to Bill 52.

I attend today in my current position as public education coordinator for the York Region Alliance to End Homelessness. The alliance was formed in 1999 as con-

cerns about homelessness, particularly homelessness among youth, were emerging in our communities. The alliance is a collaborative of representatives from social service agencies, faith groups, interested community members and government representatives that seek to understand, plan and coordinate services and supports related to homelessness in York region.

I also bring experience as a former program director of a federally funded employment program for youth with the most barriers to employment: out of school and out of work. I'm also the parent of a son who was saved from dropping out of school by a semester spent in an alternative education program that gave him breathing room and enabled him to return to the mainstream and complete his high school diploma, much to my relief, I have to say.

I would like to share some insights with respect to youth homelessness in our region and how education intersects in the day-to-day lives of some of our young people. We believe it would be helpful for the committee to have this lens to look through as Bill 52 is being considered.

We echo the concern of the government with respect to the number of youth who are dropping out of school early and the goal of providing a range of meaningful educational opportunities that engage and inspire our young people to continue their education. However, we question whether Bill 52 will in fact achieve those objectives, particularly for those young people who are alienated and marginalized in our communities. We wish to broaden the conversation to include an understanding of systemic and other factors that contribute to a young person's decision to remove himself or herself from school at an early age and whether punitive measures are in fact the best approach or indeed relevant to promoting participation of young people in the school system.

It has been estimated that a third of Canada's homeless population are youth. General characteristics of youth that experience homelessness are: exposure to physical violence, mental health problems, alcohol and drug abuse, sexual abuse and conflict with the law. They are often isolated, with few family ties and lack of trust relationships. Many have been raised in foster homes and have a lack of education and skills, suffer poor physical health and a lack of self-esteem. We know there is an issue of hidden homelessness among youth, those youth who are not on the street but may be couch-surfing, staying with friends on a temporary basis due to lack of accommodation.

A consistent factor that has been reported within the literature of at-risk youth is their experience within school. Many street-involved and homeless youth have reported negative experiences at school.

A study conducted in 2003 by the Centre for Studies of Children At Risk at McMaster University sought to understand the characteristics of the youth attending the Home Base Youth Drop In Centre in Richmond Hill, a centre for homeless youth and those at risk of homelessness, ages 13 to 24. The study included an explor-

ation of substance use and abuse, criminality, mental health, victimization and education. Some 42.8% of the youth in the study were 16 and 17; 8.7% were under 16. Fifty-five per cent of the youth in the study were not attending school, either traditional or alternative; 65% had a grade 10 education or less; 82% of the youth had been suspended from school, with 45% suspended more than three times, and yet 62.3% would eventually like to obtain a post-secondary education.

We all know that education does not occur in a vacuum. The lives of our children and youth are intertwined with many other influences that impact how they engage with the school system: family dynamics, language, cultural expectations, peer relationships, access to recreational opportunities, employment, housing, health and their own inherent resilience to withstand the challenges that come their way.

It is perhaps easy to talk about students who drop out as if it is wholly the result of their own actions that they find themselves in this situation. That would deny the impact of educational policy change, curriculum change, inadequate educational resources, the consequences of family breakdown and family blending, abusive relationships, mental health issues and poverty, to name a few of the underlying factors that could contribute to such a decision.

I have spoken with youth who are so embittered by their experiences of formal education that they cannot conceive of going back. They are defiant, angry, alienated and scared, and desperately want to find employment to build some sort of a future, but they lack skills, social supports and a stable home environment.

I have also known youth who have disengaged from the system and know how critical it is but have had to fight tooth and nail to be readmitted. They have needed adult advocates to find someone in the system who would be willing to support them in their struggle.

I have witnessed the lack of trust, motivation and the overwhelming need to numb the reality of their situation through the use and abuse of substances. I have seen a young woman in a youth shelter with both arms scarred from wrist to elbows as a result of self-harm. I have seen a troubled young man only get diagnosed with fetal alcohol syndrome when he was in jail at the age of 20.

Many of these young people cannot see their future. Their heads are not filled with adult logic nor the understanding of the long-term consequences of the actions of others or their own. They know only of the day-to-day, which for many is all-consuming: how to find food, a place to stay, a source of income—legally or illegally, whatever it takes.

Self-esteem comes from multiple successes. It comes from affirmation, from belonging, from respect and from a sense of self-worth. It comes from knowing who we are and a growing sense of our skills, capacities and assets as we move towards adulthood. It comes from mentors, trusting, supportive relationships; creative, flexible opportunities for learning and skill development. It comes from a willingness of others to see our identity defined

by more than our mistakes. In our opinion, it does not come from unrelated punitive measures. For homeless youth and many of those at risk of homelessness, driving is not even an issue, and such a penalty for being out of school would mean little.

Driving is indeed, however, a meaningful learning activity, a milestone. It is a chance for skill development, for responsibility, a means to access employment. A young person's ability to drive may be incredibly important within a family. In rural communities it is a lifeline when there is no public transportation. It may be the one thing that a young person is able to accomplish during a time of upheaval and perceived failure of having dropped out. It could provide a critical source of income to an individual or a family. A loss or inability to gain a licence linked to school participation would further alienate youth who are already marginalized through lack of success in the educational system.

1130

Youth, particularly those on the margins, need to be inspired, motivated and have access to opportunities where they can discover strengths and assets, whatever they are, in order to build a hopeful future. Our educational system plays a critical role in this development, but so too does the wider community.

Homeless and at-risk youth need their basic needs met if they are to have any chance of success with any kind of education, whatever form it takes. They are worth the investment. If we are to unlock the potential of these young people to participate as active, engaged citizens, we must be innovative in our approach and create accessible opportunities for them to participate in education.

The preliminary findings from Anybody's Couch, a recent study by researchers from York University's School of Nursing seeking to understand the lives, health and service needs of York region homeless youth, included the recommendation to further develop innovative and flexible programs for youth to participate in education and job skill systems.

The Chair: Just a reminder, you have about two minutes.

Ms. Wedlock: I hope the information presented today has provided some insight into the complex issues facing some of the more marginalized youth in our communities. Many of these young people live with the perception that they are invisible or that people wish they were. On a daily basis, they face inflexible institutions and, at times, seemingly insurmountable barriers to a hopeful future. We hope that legislation introduced by this government recognizes their reality. We do not believe that Bill 52, in its current form, will in fact achieve this objective.

Thank you for this opportunity.

The Chair: We should have time for one brief question from Ms. Wynne.

Ms. Wynne: Thank you very much for being here, and thank you for your work. It's obviously critical.

You're obviously supportive of whatever supports and alternatives we can put in place. In terms of the money

that has gone into this system so far, it has all been about creating those alternative programs and creating pilots in boards to see what actually works, what keeps kids in school, what keeps them learning. I'm assuming that you'd be supportive of anything we can do that would allow students to have a work experience while they're gaining credit. Is that correct?

Ms. Wedlock: Absolutely. I think the education system has to go out further into the community. Kids who have fallen out of the system are forgotten by the system, to be honest. Once they're gone, they're gone. So you have to fight to get them back in again and for people to take notice. These kids have multiple, multiple issues. They have to have people who are willing to go to bat for them. They have to have people who are willing to accept the fact that they may screw up again, but they ask not to be given up on.

Ms. Wynne: I think that's exactly the conundrum we're facing: how to do that and how not to have an artificial barrier between school and society—because it is an artificial barrier. School is just the job that kids do until they have the rest of their lives. So we're trying to make those connections stronger.

Thank you for being here.

The Chair: Thank you very much for your deputation this morning. On behalf of the committee, I thank all of the deputants for their time and for their thoughtful input.

Mr. Klees, you started to make a motion. Are you going to make the motion?

Mr. Klees: Yes, I would like to do that. I'd like to seek unanimous consent from this committee to make a

recommendation that this bill be withdrawn in light of the unanimous objection by every single presenter today to the punitive aspects of this bill. I think we would be much better off to focus on either amendments to the existing bill or simply to start over again, because there is no support for the government's approach to this. So if I could have that unanimous consent, I think we could move forward, as a committee, to many more positive ways that we could deal with this issue.

The Chair: Your motion is in fact out of order. Although the committee can defeat the bill during clause-by-clause, it doesn't have the authority to recommend that the bill be withdrawn.

Ms. Wynne: Could I just make a comment for the clarification of people who are here to hear this exchange? The purpose of having public hearings and listening to the public on a piece of legislation is to look at what amendments—the whole reason for being out and listening to people is to figure out what the best amendments would be. I would suggest that it would be great if Mr. Klees would turn his mind to working with the committee to make recommendations to the minister. That's what this is about.

The Chair: Thank you. In the interests of fairness, Rosario, do you want your two cents' worth?

Mr. Marchese: Let's move on, Mr. Chair.

The Chair: Okay. Thank you. These hearings are adjourned. We will pick it up again tomorrow at 10 o'clock, east ballroom, Sheraton, Hamilton. Thank you all for coming.

The committee adjourned at 1136.

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