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of Ontario

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de l'Ontario

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**Official Report
of Debates
(Hansard)**

**Journal
des débats
(Hansard)**

Monday 23 March 2009

Lundi 23 mars 2009

Speaker
Honourable Steve Peters

Président
L'honorable Steve Peters

Clerk
Deborah Deller

Greffière
Deborah Deller

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Monday 23 March 2009

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Lundi 23 mars 2009

The House met at 1030.

The Speaker (Hon. Steve Peters): Good morning. Please remain standing for the Lord's Prayer, followed by a moment of silence for inner thought and personal reflection.

Prayers.

INTRODUCTION OF MEMBER
FOR HALIBURTON-KAWARTHA
LAKES-BROCK

The Speaker (Hon. Steve Peters): I beg to inform the House that the Clerk has received from the chief electoral officer and laid upon the table a certificate of the by-election in the electoral district of Haliburton-Kawartha Lakes-Brock.

The Clerk of the Assembly (Ms. Deborah Deller): I have received a certificate of the by-election, addressed as follows:

"Mrs. Deborah Deller

"Clerk of the Legislative Assembly

"Room 104

"Legislative Building

"Queen's Park

"Toronto, Ontario

"M7A 1A2

"Dear Mrs. Deller:

"A writ of election dated the 4th day of February 2009 was issued by the Honourable Lieutenant Governor of the province of Ontario, and was addressed to Jerry Ford, returning officer for the electoral district of Haliburton-Kawartha Lakes-Brock, for the election of a member to represent the said electoral district of Haliburton-Kawartha Lakes-Brock in the Legislative Assembly of this province in the room of Laurie Scott who, since her election as representative of the said electoral district of Haliburton-Kawartha Lakes-Brock, has resigned her seat. This is to certify that, a poll having been granted and held in Haliburton-Kawartha Lakes-Brock on the 5th day of March 2009, Rick Johnson has been returned as duly elected as appears by the return of the said writ of election, dated the 16th day of March 2009, which is now lodged of record in my office.

"Greg Essensa

"Chief electoral officer

"Toronto, March 23, 2009."

Mr. Johnson was escorted into the chamber by Mr. McGuinty and Ms. Smith.

Hon. Dalton McGuinty: Speaker, I have the honour to present to you and to the House, Rick Johnson, member-elect for the electoral district of Haliburton-Kawartha Lakes-Brock, who has taken the oath and signed the roll, and now claims the right to take his seat.

The Speaker (Hon. Steve Peters): Let the honourable member take his seat.

SPEAKER'S RULING

The Speaker (Hon. Steve Peters): On Wednesday, March 11, the member from Kitchener-Waterloo, Mrs. Witmer, rose on a point of order with respect to a transit shelter advertisement sponsored by the member from Toronto Centre, Mr. Smitherman, a topic that was also raised in that day's question period. The member from Kitchener-Waterloo asserted that the advertisement is inappropriate because it refers to features of a bill that is still before this House, a bill that the member for Toronto Centre is carrying in his capacity as Minister of Energy and Infrastructure, and that the ad conveys the impression that it is presented by the government of Ontario.

While the member was not specific in her reasons for the latter assertion, a review of the ad and her remarks earlier that day in question period lead me to assume it is the appearance of the Ontario coat of arms that the member finds objectionable in this regard. The House leader for the third party, Mr. Kormos, contributed to the point by offering the view that as the piece promotes a policy of the government, it is partisan in nature and therefore runs afoul of the guidelines for acceptable, assembly-funded MPP communications to constituents.

How to address this has given me a bit of pause of thought. Approached from the perspective of communications funded by an MPP's budget, this would simply be an administrative matter of no concern to the House assembled. Simply put, the member for Kitchener-Waterloo does not have a valid point of order, for this matter impacts in no procedural way on the House.

However, the arguments relating to the references in the ad to a bill not yet passed by this House were more in the nature of a point of privilege, though it wasn't raised as such and proper notice was not given, in any event. Nevertheless, I undertook to review the issue and so will report to the House.

I have reviewed the advertisement very carefully, and let me say that the member for Toronto Centre's role as a minister of the crown should not prohibit him from communicating with his constituents on matters that fall

within the purview of his ministerial responsibilities. Naturally, though, if he were doing so with his MPP budget, the communications must be neutral; otherwise, as the member for Welland put it, the “people across the road” may not remit payment for it.

With respect to the issue of the ad leaving the impression that it is presented by the government of Ontario, the ad does not refer to the member’s ministerial role at all, and though many of his constituents would know he is the Minister of Energy, the ad does not convey it. The use of the provincial coat of arms is perfectly acceptable. I know that many members on both sides of the House use it in their householders, on their business cards, in various print communications to their constituents, on their websites and on their letterhead.

Finally, the ad conveys that the legislation has not passed yet and does not imply a foregone legislative outcome. It uses the kind of conditional wording that previous Speakers have insisted upon when similar concerns have been raised in the past about government advertising and which was the basis for the ruling in the federal Parliament that the member from Kitchener–Waterloo referred to.

I will end by emphasizing the obvious and justifiable scrutiny that an MPP’s communications must stand up to. Carefully erring on the side of probity and caution in these publications is most likely always the best course of action.

1040

INTRODUCTION OF VISITORS

Mr. Peter Kormos: I want to introduce Brother Wayne Hanley, president, United Food and Commercial Workers; Brother Bob Linton, director of government relations and political action, United Food and Commercial Workers; and Brother Wayne Samuelson, president of the Ontario Federation of Labour.

Mrs. Liz Sandals: I’m very pleased to be able to introduce a whole host of people who are here supporting Rick Johnson, our newest MPP. Rather than trying to get all the names that I don’t know, I would like to point out that Terri Crawford, Rick’s wife, is in the gallery. Trish Johnson, his daughter, and Michael, his son, are in the gallery, as are a host of other family members. Up in the public gallery we have a lot of family, friends and supporters, including Gail Anderson, who’s the executive director of the Ontario Public School Boards’ Association. Rick has just finished being their past president.

Mr. Paul Miller: Today I’d like to introduce Sheila Alexander, from West Vancouver, who is visiting my executive assistant, Margo Duncan, both of whom are celebrating their birthdays today.

Hon. Jim Watson: I’d like to introduce in the gallery behind me, from the great community of Kingston, Paul Gerretsen.

ORAL QUESTIONS

ONTARIO ECONOMY

The Speaker (Hon. Steve Peters): It is now time for oral questions. The Leader of Her Majesty’s loyal opposition.

Applause.

Mr. Robert W. Runciman: Okay.

Applause.

Mr. Robert W. Runciman: Okay. You’re cutting into my time. Thank you very much.

My question is to the Premier. With each passing day, Ontario keeps hitting milestones and, regrettably, all of them are bad. As reported in this weekend’s Financial Post, and for the first time in 30 years, Ontario’s jobless rate, at 8.7%, is higher than Quebec’s. What’s more alarming is that Ontario’s unemployment rate is now higher than that in the United States. In the US, where the recession is said to have started, where the recession is expected to hit hardest, they have an unemployment rate that’s lower than our province’s. Premier, as leader of this province, do you accept any responsibility for these staggering figures?

Hon. Dalton McGuinty: I appreciate the question and the enthusiasm which attended its delivery.

I think that Ontarians are on to the notion that what we are grappling with is global in nature. There was a report recently released by the UN saying that we’re going to lose between 30 million and 40 million jobs globally as a result of this worldwide economic recession. That recession is affecting virtually every country, virtually every subnational jurisdiction, including the province of Ontario. We are not immune to its consequences. It is affecting our families; it is affecting our businesses. I will not deny that. But I will say that I think that Ontarians are on to the notion that it is very big, it is very broad, and it’s affecting us on a worldwide basis.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: That sounded like, “My hands are clean.” The sign on former US President Truman’s desk read, “The buck stops here,” but in this Premier’s case, it might read, “Hey, don’t look at me.”

An economist at Laurentian Bank Securities says Ontario’s unemployment rate is expected to hit 10% next year. That means Ontario families haven’t seen the worst of this.

Premier, this Thursday, Ontarians are going to expect to see a plan that’s going to get them back to work so they can provide for their families and have hope for their future. Will they see that, Premier, or is that something else you’re not responsible for?

Hon. Dalton McGuinty: We look forward very much to presenting the budget in this Legislature. We have indicated in the past that we have two overriding objectives for our budget: One of those is to help Ontarians weather the storm today, and the other is to ready ourselves collectively for the recovery.

While there is considerable debate among economists as to when the recovery is going to take place, there is an overwhelming consensus that a recovery will come. We hope it comes sooner rather than later, but we believe there are specific things we can and must do to strengthen Ontarians, to strengthen our businesses so that we are better prepared to seize new opportunities in the face of that recovery.

One of the things that I just announced last week was more support, for example, for our children growing up in poverty in the province of Ontario. We are doubling the Ontario child benefit from \$50 to \$92 a month. That is going to have a significant impact in those households which have to struggle with poverty on a daily basis.

The Speaker (Hon. Steve Peters): Final supplementary.

Mr. Robert W. Runciman: Given the government's performance over the past six years, I think Ontarians have every right to be skeptical about your ability to deliver long-term, sustainable jobs. The Premier's private sector job creation, his record sits at a paltry 2%.

A year ago, in the face of 230,000 manufacturing job losses, the Premier responded with a retraining program that has fewer than 5,000 people in it. I think we'd all describe that as inadequate.

Premier, this past weekend, a number of financial analysts suggested that given the economic crisis Ontario is in, this week's budget requires a complete about-face from your previous tax-and-spend agenda. Premier, will we see that about-face this Thursday? Are you capable of changing the disastrous course you've been on for the past six years?

Hon. Dalton McGuinty: We will do what is needed. We will do what is essential to better protect our families from the ravages of this recession, and at the same time, we will continue to invest in the kinds of initiatives that strengthen Ontarians and strengthen our businesses. It would be nice to know that at some point in time we'll have support from the opposition in this regard.

We are in the process of cutting our business taxes, for example, by \$3 billion. The opposition opposes that.

We've invested billion and billions of dollars into infrastructure. We're building schools and roads and hospitals, hundreds of projects province-wide right now, employing nearly 100,000 Ontarians. The opposition does not support that.

We continue to invest in innovation. Ontarians are very creative, very innovative people. They're coming up with ideas that we want to commercialize, turn into new products, new services and new jobs for the future. Again, the opposition doesn't support those kinds of initiatives.

Our budget will continue to build on the strong foundation we have laid to date.

TAXATION

Mr. Robert W. Runciman: Back to the Premier: The Premier clearly wants Ontarians to believe that he bears

no responsibility for the staggering unemployment rate—not his fault—or that he bears no responsibility for the 25% drop in corporate and land transfer tax revenues.

But, as the Financial Post pointed out this weekend, in the last five years the Premier neglected Ontario's changing economic landscape, raised corporate taxes, slapped a health care levy on households, and to quote the Post, "helped cement Ontario as one of the least attractive places for companies to invest."

Premier, recently you said that government has to stop being a brake on businesses. If your words are not just rhetoric, does that mean that this Thursday's budget will finally see an end to the job-killing capital tax and a plan to speed up corporate tax reductions?

Hon. Dalton McGuinty: Again, one of the initiatives that we have put forward and have adopted as a government is a reduction in business taxes: \$3 billion in cuts and rebates. We've eliminated the capital tax for manufacturers in the resource sector, retroactive to January 2007, and that meant \$190 million in rebates for our businesses in those categories.

The opposition didn't support those tax cuts. Some days they tell us they are in favour of tax cuts, and other days they tell us they're in favour of more spending on hospitals and our schools. We've been consistent from the outset. It is very difficult from one day to the next, in fact, if we pay close attention, sometimes from one question to the next, when it comes to the opposition, to know where they are coming from. Do they want us to spend more or cut more in taxes? It's hard to determine from one question to the next.

1050

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Robert W. Runciman: Again, the Premier's record truly speaks for itself. His government has increased spending by a staggering 48%. He has maintained taxes on job-creating new investment at 35%—that's 6% above the national average and ninth highest in the world. Even with a three-point drop projected for 2012, taxes on new investment will still be the highest in Canada. Jobs have disappeared because it was cheaper for businesses to close up and relocate outside of this province.

Premier, will you show that actions match words, set things right in this week's budget, follow the lead of your New Brunswick counterpart, and commit to making Ontario's business taxes competitive with other jurisdictions?

Hon. Dalton McGuinty: Again, we're trying to bring a balanced approach on this side of the House. We have been cutting taxes, but when we do that, we don't get the support of the opposition.

They tell us that we should have only spent at the rate of inflation. If we were to have adopted the approach that they are now advocating, that we should only have raised our investments, our new expenditures, at the rate of inflation, we would have spent \$17 billion less. That would have meant that, in health care, we'd have 10,000 fewer nurses today, we'd have 1,794 fewer doctors today, we'd have no family health teams—that means 200,000

fewer patients being seen—and we'd certainly have no new nurse-practitioner-led clinics. That's what they are advocating.

They like to play with numbers, but they don't like to talk about the consequences on people. Over here we bring a balanced, thoughtful approach. We continue to cut taxes, we continue to invest in the services—

The Speaker (Hon. Steve Peters): Thank you, Premier. Final supplementary.

Mr. Robert W. Runciman: What you're really doing is putting Ontario in a dreadful position for the future.

Analysts and economists all agree that it's time for you to get the fundamentals right in order to get Ontario's economy back on track. Business taxes that attract job-creating investments provide the wealth that pays for the services that Ontarians rely upon, and with high taxes, Premier, you've chased away businesses that provided long-term private sector jobs. In effect, you've put hundreds of thousands of Ontarians out of work by your policies. As a result, tax revenues are way down, and you have to take out an \$18-billion mortgage on Ontario's future just to pay for basic services.

Premier, to a significant degree you have put yourself in this box, and Ontario families are paying the price. Will you ensure that this week's budget doesn't make Ontarians suffer even more?

Hon. Dalton McGuinty: Speaker, they are just trotting the same old one-trick pony out of the barn once again: "Business tax cuts will solve everything." We just don't see it that way. We're bringing a balanced approach.

We have cut business taxes. We continue to cut business taxes, to the tune of \$3 billion.

We continue to invest billions and billions into infrastructure because we think it's important to invest in new schools, new roads and new hospitals. Our plan, just recently announced, was to invest \$1.2 billion more, together with the federal government, in social housing and affordable housing in the province of Ontario. We think that's a real priority for families struggling with poverty. We continue to support innovation: Witness our new \$250-million emerging technologies fund. We continue to partner with businesses, including in the auto sector, and we continue to invest in the skills and education of our people.

That's a balanced, thoughtful, progressive, comprehensive approach which stands in stark contrast to their one-trick pony.

PROVINCIAL PURCHASING POLICY

Ms. Andrea Horwath: To the Premier: Municipalities across Ontario are implementing buy-Ontario policies as a way of sustaining jobs and reviving their local economies. Gary McNamara, the mayor of Tecumseh, said this about his town's decision: "This is something that is important for our community. We buy Tecumseh, we buy Windsor, we buy Essex, we buy Ontario, we buy Canada. It's not difficult for us to put it in writing."

Apparently, though, for this government it is difficult to put in writing; otherwise, we wouldn't have Ontario flags and MTO uniforms manufactured overseas. So instead of letting Ontario tax dollars create jobs elsewhere, will this Premier commit to buy-Ontario legislation in this week's budget?

Hon. Dalton McGuinty: I know that my honourable colleague raises an important issue, and it's been the subject of much debate. Not only here in Ontario and in other provinces but indeed in many parts of the world now, people are wondering what they can do to better support their domestic economies. I think that we all have a responsibility to see where we can do that in a reasonable way.

But I just want to remind my colleagues that there aren't many places that are as trade-dependent as we are here in the province of Ontario. I mentioned late last week that when I was travelling, for example, to China, I was promoting our BlackBerry. What I was really promoting was the thousands of jobs connected with that BlackBerry. I was promoting Ontario icewine, for example, as well. I know that we need to do as much as we possibly can to promote Ontarian products and Canadian products, but at the same time, I wouldn't want to go so far as to compromise our ability to continue to trade with the world, because there are so many Ontario families that depend for their livelihood on that trade.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The Premier knows that investing in infrastructure is key to sustaining jobs in Ontario. It takes a staggering 60 minutes or more for a one-way commute from Hamilton to Toronto. That leaves working parents with less time to spend with their kids. It's clear that Thursday's budget must make significant infrastructure investments, investments that are going to create good, long-term manufacturing jobs in this province.

A 50% buy-Ontario policy for transit coupled with strategic investments could transform Ontario's economy, from north to south, into a global hub for light rail systems. Why won't the Premier commit to a 50% buy-Ontario transit policy so that infrastructure investments also help to reinvigorate our struggling manufacturing sector in this province?

Hon. Dalton McGuinty: My honourable colleague makes reference to 50%, but we've actually settled on 82%. That's the amount of funding, when it comes to our public transit projects, that's translated into Ontario-based economic activity. We're proud of the stimulus that we've injected into the economy, and obviously we've indicated that we'll have to do more with our budget.

One billion dollars in infrastructure for our smaller communities was something we announced recently, together with the federal government. Together with Prime Minister Harper, I had the opportunity to make this announcement: \$500 million for GO Transit improvements. I just announced that a couple of weeks ago. There will be more to come in that regard. We're going to do more, together with the federal government, to

stimulate the economy. This creates jobs on a short-term basis, exactly when they are needed, but that kind of infrastructure also has the long-term benefit of enhancing our economic productivity.

The Speaker (Hon. Steve Peters): Final supplementary.

Ms. Andrea Horwath: The Premier knows very well that his 82% number talks about construction, and of course those jobs are going to be Ontario jobs. I'm talking about the manufacturing of the components that rail systems are made from, and he knows I'm talking about that.

Ontario has the skills and the industries to support a light rail strategy. Manufacturing powerhouses exist in Thunder Bay, Windsor, Oshawa, Niagara and Toronto. High-quality steel is manufactured in Sault Ste. Marie and Hamilton, plastics in Sarnia.

Infrastructure spending and deficits won't automatically lift us out of one of Ontario's worst recessions, and I think the Premier knows that. We need an Ontario plan for long-term growth in this province. We can make Ontario a light rail hub by building on the capacities that already exist here, making strategic investments and tying a buy-Ontario policy to new infrastructure spending in this province.

Why won't this Premier commit to a real 50% buy-Ontario—

The Speaker (Hon. Steve Peters): Thank you. Premier?

Hon. Dalton McGuinty: Again, this is not unlike the kind of debate that's taking place in many other parts of the world, and I understand where the honourable member is coming from. Our number is 82%. We won't back away from 82%. That's how much of the money is actually going to translate into economic activity in the province of Ontario, how much is spent when it comes to our investments in new public transit.

I want to reassure Ontarians on another score: 95% of our almost 45,000 government suppliers are located in the province of Ontario. That's another number for us to keep in mind. Again, it's not 50%; it's 95%. We'll do as much as we reasonably can to invest Ontario dollars inside the province of Ontario without compromising our ability to continue to trade with the rest of the world, upon which so many Ontario families are very much reliant.

1100

COLLECTIVE BARGAINING

Ms. Andrea Horwath: Again to the Premier: Today marks the 37th anniversary of Canada's ratification of the International Labour Organization's convention 87, Freedom of Association and Protection of the Right to Organize. This convention states that collective bargaining should be a fundamental right in every corner of the world, and we've signed on to it.

Today, United Food and Commercial Workers of Canada will be filing a formal complaint against this

government with the ILO to protest its failure to pass legislation guaranteeing farm workers the right to bargain collectively in this province. Why has this government defied an international body and refused to give farm workers the right to bargain collectively in Ontario?

Hon. Dalton McGuinty: To the Minister of Agriculture, Food and Rural Affairs.

Hon. Leona Dombrowsky: The honourable member would know that at this point in time, this very issue is before the courts, so that would prevent me from making any comment on the particulars that she has asked about.

What I can say is that this government, I believe, has a very solid record in terms of valuing the work of farmers and those who work on farms; they provide us with the very best-quality, safest food in the province of Ontario. We have done and we'll continue to work with that sector to ensure that it's a viable, strong industry going forward. It's the industry that feeds our people. It's the industry that we have worked with, and we'll continue to do so.

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: The minister knows very well that the only reason it's before the courts is because this government is dragging it before the courts once again instead of doing the right thing by farm workers in this province.

Here are the facts—and it's interesting that we choose the Minister of Agriculture as opposed to the Minister of Labour when this is a labour issue: The complaint charges that Ontario's ban on agricultural unions violates the human and constitutional rights of Ontario agricultural workers. In other words, your government is denying thousands of Ontario agricultural workers the fundamental right granted to farm workers in most other advanced jurisdictions around the world. Why is this government denying a fundamental right to some of Ontario's most exploited and vulnerable workers?

Hon. Leona Dombrowsky: To the Minister of Labour.

Hon. Peter Fonseca: I want to thank the Minister of Agriculture, Food and Rural Affairs.

The health and safety of all Ontario workers is our number one priority. What I can tell the honourable member is that our government extended occupational health and safety to our farm operations. This was our government that brought that forward.

Yes, there is an appeal, and it's around ensuring that farm workers are safe, are protected and are being treated fairly, and that's what our government has done. We have listened. We have worked with farmers. We have worked with farm workers. I acknowledge that the UFCW is here today. I have met with—

The Speaker (Hon. Steve Peters): Thank you. Final supplementary.

Ms. Andrea Horwath: One of the best guarantees for a safe workplace is a strong union that's looking after the back of the worker. I'll let the minister know that.

Today's ILO complaint follows a November 2008 decision by the Court of Appeal for Ontario, and every-

body across the way knows it. That court ruled unequivocally that Ontario legislation that prevents farm workers from unionizing is unconstitutional and it ordered the Ontario government to change the legislation within 12 months. Instead, the Ontario government has applied for leave to appeal to the Supreme Court of Canada to review the decision. Why does this government continue to do everything within its powers to deny a basic right to some of the most exploited and vulnerable workers in this province?

Hon. Peter Fonseca: As I said to the member, our number one highest priority is the health and safety of all Ontario workers, including our farm workers. That's why our government extended the Occupational Health and Safety Act to farming operations.

Also, I want to say to the member that the Ontario government believes that the Court of Appeal's decision raises issues that should be considered by the Supreme Court of Canada. So we feel that these issues need to be looked at. The Supreme Court will be able to do that.

As I say to the member, this government continues to meet with labour groups. I've had all the labour groups in my office. We've had discussions. We meet with farmers and farm operations. We want to ensure the greatest health and safety for all our workers.

TAXATION

Mr. Tim Hudak: A question to the Premier: While other provinces have acted to help create jobs and assist families during these tough economic times, Dalton McGuinty seems absolutely paralyzed in the face of economic crisis. Working Ontario families have given up to \$2,000 more per year in higher taxes, user fees and energy costs. What did they get in return? Record job losses and massive provincial deficits.

Last week, Liberal Premier Shawn Graham of New Brunswick announced some of the biggest tax cuts in the province's history to put more money in working families' pockets and to stimulate job creation. Premier, on Thursday, will you finally do the same?

Hon. Dalton McGuinty: I appreciate the question. It's passing strange that the honourable member is telling us that he wants us to cut business taxes, but when we've been cutting them by \$3 billion, he has failed to offer his support in that regard.

I think the member has made it clear, though, of late in particular, that he does not believe that we should have made investments in new nurses in the province of Ontario, he does not believe that we should have made investments in hiring more teachers in the province of Ontario, he does not support reduction of wait times in the province of Ontario, and he does not support the investments we made in new water inspectors and meat inspectors and those kinds of things which our families absolutely have to be able to count on.

We're bringing a thoughtful, balanced, comprehensive approach. We will continue to find ways to support businesses and to support our families at the same time.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Tim Hudak: While Premier McGuinty stands paralyzed, this is what Finance Minister Boudreau in New Brunswick said: "This plan will leave more money in the pockets of New Brunswickers.... It will help ... companies stay in the province to grow and attract outside investment, and help create meaningful jobs for our children to ... work right here in our province." There's nothing of that kind from Dalton McGuinty. In fact, what is the McGuinty record? It's 300,000 manufacturing job losses, runaway deficits—and, sir, under your watch, you have turned Ontario into a have-not province. What passes for an economic plan has been a spectacular failure in the province of Ontario.

Premier, it's time to chart a new course. Will you follow the example of New Brunswick and other provinces and what the Ontario PCs have called for to stimulate job creation in the province of Ontario?

Hon. Dalton McGuinty: It's the same old story, it's the same old movie, it's the one-trick pony. There is a utopia; there is a magic elixir; there is a silver bullet. Pick your favourite metaphor; they're all to be found in simply cutting business taxes. That's all we have to do.

The other part of the story they don't like to talk about is the corresponding cuts to health care, cuts to education, cuts to environmental protections, and cuts to support for our most vulnerable Ontario families. We've seen that movie before; we don't want a rerun.

We will continue to move forward with a thoughtful, balanced, comprehensive, progressive approach. We'll find a way to support the economy and support our families at the same time.

CHILD CARE

Ms. Andrea Horwath: To the Premier: Today the Ontario Coalition for Better Child Care members are delivering thousands of petitions from across the province directly to the Minister of Finance, calling for an increase in child care funding. Shamefully, only 12% of Ontario families have access to licensed child care. Without additional funding in Thursday's budget, at least 22,000 child care spaces are on the chopping block in this province.

What does the Premier have to say to those tens of thousands of parents and concerned Ontarians who signed those petitions, pleading for better child care in this province?

Hon. Dalton McGuinty: To the Minister of Children and Youth Services.

Hon. Deborah Matthews: I think the leader of the third party knows that this is a party that is absolutely committed to giving kids the best start in life. Since we were elected in 2003, we've increased the number of child care spaces by 22,000. That is despite the federal government slashing the early learning and child care agreement.

We are calling upon the federal government to restore funding for child care because it is a very important

component of the well-being of our children. We would welcome support from all members of this House to encourage the federal government to get back into child care. We need them at the table.

1110

The Speaker (Hon. Steve Peters): Supplementary?

Ms. Andrea Horwath: Shame on the minister for not acknowledging that child care is a provincial responsibility. What happened to their \$300-million promise on child care?

Ontarians still need adequate, affordable, not-for-profit, licensed child care in this province. The child benefit that they've announced recently—and congratulations on that—took so long to get here, didn't it? But that's not going to bring child care spaces into the province. That's what your obligation is as a minister.

The number of spaces in this province is woefully short already on what is needed and what is necessary to provide the services for families and kids. Child care is an economic necessity so that parents can go to work or they can go to school. Will the Premier treat it as such and commit the minimum \$300 million in new money for child care in this Thursday's budget?

Hon. Deborah Matthews: I suspect that the member understands that the budget is on Thursday and I certainly am not going to be speaking to what's in the budget today. So we are going to have to wait.

But let's keep this in perspective. We are working very hard to sustain the spaces that we have created. It's very important. At the same time, we are moving forward on full-day learning for four- and five-year-olds. That's going to make a remarkable difference for families and kids in this province. So as we work with the federal government to get them reinvesting their money here, we will continue to fund.

Just for your information, I think it's important that people understand what we're talking about. We spend, in this province, \$869 million on child care; \$63.5 million is what we are fighting to get from the federal government. So we are concerned, we are working hard, but let's not be alarmist about the numbers that we're talking about.

HIGHWAY IMPROVEMENT

Mr. Rick Johnson: My question today is for the Minister of Transportation. Minister, I recently had the opportunity to travel in my riding of Haliburton-Kawartha Lakes-Brock fairly thoroughly. In those travels I had the chance to meet thousands of constituents. I spoke with them and heard from them about what they think this government is doing right and where they have concerns. Transportation is a topic that arose often, from the desire to have more public transit to requests for further improvements to roads and bridges in the area.

I would like to ask the Minister of Transportation about transportation issues in my riding, specifically about Highway 35. Four-laning Highway 35 is something we have seen in the books for years. It is an important

economic link for those in Lindsay, Pontypool and surrounding municipalities. I've heard from my constituents that this is something that they want to see happen and happen soon. I'm wondering why it is taking so long to move forward with the four-laning of Highway 35 from Highway 115 to Lindsay, and I'm hoping the minister can share with this House the next steps in moving forward on this project.

Hon. James J. Bradley: I thank the member for his question. He has met with me on this matter and other important matters already. He will know that I've also met with the local municipalities that he represents at this time.

Everyone agrees, I think, that the improvements to Highway 35 are important to those living in Haliburton-Kawartha Lakes-Brock. That is why the ministry completed what we call a transportation environmental study report, which was made available for public review. I've spoken with the staff on this matter, and I'm pleased to tell the newest member of the House that any outstanding concerns raised have been resolved. We're looking forward to the release of an addendum to the TESR in the coming weeks. It'll be made available for public review within 45 days. Public consultation will continue to play a vital role as we move forward with this extremely important project that the member has brought—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Rick Johnson: I would like to thank the minister for his answer. I will let the constituents of my riding know that there's some opportunity for public comment when the addendum is made available. Improvements to Highway 35 will help with alleviating congestion in the area, both from local residents driving to and from work and from the many tourists who visit our beautiful riding throughout all seasons of the year.

While it's important to continue with improvements to roads, I know that it is also a priority of this government to get people onto public transit. It's important that people have the opportunity to change their travel behaviours and be encouraged to use things like public transit and carpooling to do so. I understand that this government is invested in my riding of Haliburton-Kawartha Lakes-Brock to do just that. I was hoping that the Minister of Transportation can share with the House and with the constituents of my riding some of the details of the proposed four-laning of Highway 35, as well as what else the ministry has done to improve transportation throughout Haliburton-Kawartha Lakes-Brock.

Hon. James J. Bradley: That's an excellent question. The Ministry of Transportation staff, as the member will know, have worked hard to listen to the residents' concerns when it comes to the improvements to Highway 35.

The plan includes the following:

- four-laning;
- 10 new interchanges;
- interchange improvements at Highway 35/115;
- realignment of Highway 7A to connect with Highway 35; and

—a service road network that facilitates continuous movement.

Public transit is also a priority, as the member appropriately points out. He'll be pleased to know his riding has benefited from our commitment to increasing and improving public transit. Recently, Haliburton was the recipient of a transportation demand-management grant for almost \$32,000 for building capacity for active transportation, and Kawartha Lakes recently received their fifth instalment of gas tax funding, for a total of \$2.6 million since the—

The Speaker (Hon. Steve Peters): Thank you, Minister. New question.

ONTARIO BUDGET

Mr. Ted Arnott: My question is for the Premier. Last week in Ottawa, the Minister of Municipal Affairs and Housing consciously and deliberately leaked privileged budget information when he announced over \$600 million of new social spending. Does the Premier condone and did he authorize this wanton breach of budget secrecy?

Hon. Dalton McGuinty: First of all, I want to begin by assuring and reassuring members of the Conservative Party, in particular, that the budget will be presented in this Legislature. I want to provide that level of comfort.

I also want to say that we are proud to work with the federal government to invest together \$1.2 billion in repairs to some 50,000 social housing units. At the same time, we're going to invest in building some 4,500 new, affordable housing units, which we think is great news, especially for families who are struggling to get ahead, finding it particularly challenging at this point in time, given this worldwide recession. We think it's important news, and we're proud to have gotten it out to Ontarians, who know it's on the way.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Ted Arnott: What's at issue here is not the merit of any particular program or line item in the budget; it is instead the parliamentary convention of budget secrecy. That convention is based on two important principles: First, no one should have privileged access to budgetary information in advance of the budget such that they're in a position to gain financially from that information. Second, it is a matter of courtesy and respect for this institution that all important announcements be made here first.

It follows that members of the Legislature, assembled together, should be the first to hear the contents of the budget and respond on behalf of their constituents. This is our fundamental role as an elected Legislature, which is being usurped by the government's deliberate strategy to leak budget information to its own political advantage.

Will the Premier commit to this House that there will be no further breaches of budgetary secrecy?

Hon. Dalton McGuinty: Minister of Municipal Affairs and Housing.

Hon. Jim Watson: I was very proud to be at 20 Rochester Street talking about this government's track

record in supporting affordable housing in the province of Ontario—a stark contrast to the sad story of the Conservative Party, who shut down housing projects throughout the city of Ottawa and throughout the province of Ontario.

Let me just read you from Jo-Anne Poirier, the CEO of Ottawa Community Housing, who said, "The province is opening its wallet once again, supporting its commitment to improve the quality of life for the residents of social housing and assisting in the sustainability of Ontario's housing infrastructure.... 'We see this as a significant advancement and very welcome news.'"

We're not turning our backs on some of the most vulnerable people in our community, and we were proud to stand with housing leaders from across Ontario and announce that we're investing in affordable housing in the province of Ontario.

PROTECTION FOR WORKERS

Ms. Cheri DiNovo: My question is to the Minister of Labour. More evidence emerged last week of exploitive recruitment practices of foreign workers, specifically of vulnerable foreign women workers, under the live-in caregiver program. This has highlighted a desperate need for action. Will the Minister of Labour take immediate steps to protect these workers?

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Hon. Peter Fonseca: I'll let the member know that on this file, I've met with the Undersecretary of Labour of the Philippines, and I've met with Alejandro Mosquera, the Consul General of the Philippines, here in Ontario.

This is a very complex issue. It is the responsibility of the federal government with the live-in caregiver program. I've imparted to Minister Kenney that they should look at making amendments to this program to safeguard those workers. I will continue to do that. I know that Minister Chan has done the same. We want to ensure that those workers are protected. But this is the responsibility of the federal government. We do not want a patchwork across the country. We want the federal government to take an umbrella approach to—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Ms. Cheri DiNovo: The Minister of Labour should know that employment standards is a provincial matter. It's his responsibility to act. In fact, Manitoba has acted. On April 1, Manitoba's Worker Recruitment and Protection Act will come into full effect. Among its provisions, the act will improve protection for foreign workers by prohibiting recruiters and employers from collecting fees from workers, require employers involved in international recruitment to register with the province, and require new provincial licences for agencies and individuals, because licensing is also a provincial responsibility.

Ontario can do this too. It is within the reach of Bill 139. You could do this, Minister, simply by making amendments to Bill 139. Will the minister make the necessary amendments?

Hon. Peter Fonseca: I can say to the member that she's right on one thing. Yes, the Employment Standards Act and the Occupational Health and Safety Act do cover all those workers in Ontario. They are covered. This Friday, I met with the reporters at the Toronto Star who have done those pieces. I talked to Rob Cribb. I spoke to Dale Brazao. I explained to them that those workers are covered. We asked those workers, if they are in precarious situations, to call our employment standards, to call our inspectors. We want to ensure that they are protected.

But to the member, again, this is a federal program. The live-in caregiver program is a federal program. Minister Kenney, I understand, is bringing forward some amendments in the next two weeks. We hope those amendments will help ensure the protection of those workers.

AFFAIRES FRANCOPHONES

M. Phil McNeely: Ma question est pour la ministre déléguée aux Affaires francophones.

L'année prochaine, Orléans va célébrer son 150^e anniversaire. Je soutiens fièrement la communauté francophone de ma circonscription, et en tant que francophile convaincu, je crois que cet anniversaire sera une date importante pour toute la francophonie ontarienne.

Aujourd'hui, Ottawa-Orléans abrite l'une des communautés francophones les plus vibrantes de la province. Aujourd'hui, je suis fier de prendre la parole et de reconnaître le travail du centre culturel francophone de notre communauté. Le MIFO, Mouvement d'implication francophone d'Orléans, a depuis 30 ans soutenu et fait la promotion de la culture de la communauté francophone d'Orléans, tout en offrant des services en français dans le domaine de l'éducation et des arts. Le MIFO travaille fort à dresser les ponts entre les communautés linguistiques de ma circonscription.

Madame la ministre, pouvez-vous me dire de quelle manière—

The Speaker (Hon. Steve Peters): Thank you.

M. Phil McNeely: —d'organismes culturels comme le MIFO soutiennent l'expression—

The Speaker (Hon. Steve Peters): Minister.

L'hon. Madeleine Meilleur: Je voudrais remercier le député d'Ottawa-Orléans pour son soutien de la francophonie ontarienne.

Notre action au niveau de la culture et des services en français est multiple. Nous avons, par exemple, augmenté considérablement le financement du secteur franco-ontarien du Conseil des arts de l'Ontario; il a passé d'un million de dollars en 2002-2003 à 2,5 \$ millions aujourd'hui et permet d'appuyer divers organismes culturels comme le Centre franco-ontarien de folklore, le Regroupement des organismes du patrimoine franco-ontarien, la société d'histoire et de généalogie et le Festival franco-ontarien.

De plus, je suis très fière d'avoir eu l'occasion de réaffirmer la position de notre gouvernement à l'occasion des audiences du CRTC en janvier dernier sur l'importance des médias francophones dans l'épanouissement culturel de notre communauté. De plus, nous avons fait

un grand pas lorsque nous avons donné l'indépendance à TFO—

The Speaker (Hon. Steve Peters): Merci. Supplementary?

M. Phil McNeely: Je suis heureux d'entendre que le gouvernement participe activement à la protection et à la promotion de la culture francophone à Orléans et dans toute la province.

Cependant, la population franco-ontarienne continue à lutter parfois pour obtenir des services gouvernementaux dans sa langue, comme la loi l'exige. Les francophones d'Orléans ont la chance de vivre dans une région où les services en français du gouvernement provincial sont généralement disponibles.

Madame la ministre, j'aimerais que vous nous disiez ce que le gouvernement fait pour améliorer la délivrance en français des services du gouvernement dans la province.

L'hon. Madeleine Meilleur: Je concède qu'encore aujourd'hui, il n'est pas toujours facile pour les Franco-Ontariens de se faire servir en français dans certaines régions de la province. Mais il est incontestable que le gouvernement, depuis son arrivée au pouvoir, a fait énormément de progrès dans ce domaine.

Pensons d'abord aux investissements massifs en éducation afin de freiner le phénomène d'assimilation et de permettre à nos jeunes de travailler et de réussir leur carrière en français chez nous en Ontario.

Depuis 2003, le gouvernement a versé plus de 360 \$ millions supplémentaires dans le système d'éducation de langue française. Au postsecondaire en français, nous avons augmenté le financement de 57 %. Nous avons aussi fait des investissements importants—on pense au campus de l'Université de Hearst à Timmins, à la création du nouveau centre d'excellence au Collège Glendon de l'Université York, et au nouveau centre de recherche et de formation de La Cité collégiale à Ottawa.

Comme vous le voyez, notre gouvernement a dit qu'il allait agir, et il a agi—

The Speaker (Hon. Steve Peters): Merci. New question.

HOSPITAL FUNDING

Mrs. Elizabeth Witmer: My question is to the Premier. According to Dr. Michael Lawrie, president of the medical staff at Cambridge Memorial Hospital, the hospital is "sadly underfunded." Yesterday, my colleague Gerry Martiniuk and I, along with 500 people, attended a rally, and these people said that they agree with the doctor. They are demanding that your government not only give them fair funding for their hospital in a fast-growing community, but that you not cut oncology, pediatrics and obstetrics.

Premier, you told the federal government you need more health care; you need to share it equally. You now have more funding. Will you also share with Ontarians and give Cambridge Memorial Hospital its fair share—about \$280 more per resident—and protect their hospital services?

Hon. Dalton McGuinty: I appreciate the question from my honourable colleague, and I'll speak to it momentarily, but in passing, I would recommend that she speak to her colleague Mr. Hudak, who says that we've invested too much in the course of the past five years in health care generally.

Just by way of specific contrast, we've increased funding for hospitals in Waterloo by 24%. Her colleague says we shouldn't have gone beyond 10.3%, just so we're clear on that score. We've increased funding for St. Mary's hospital by 31%, Grand River Hospital by 30%, Cambridge hospital by 16%, and \$8 million invested in the region to reduce wait times specifically, which is working in a number of ways. We have come to the table, and I assume from the basis of the question that my colleague is asking us, in the coming budget, to make sure we continue to invest in health care for Ontario families.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Gerry Martiniuk: What happened to Cambridge and the half million citizens of Waterloo region, one of the fastest-growing areas in Ontario? We have been forgotten. Not one cent for fast-growth funding in Grand River Hospital—not a cent—not one cent for fast-growth funding in Cambridge and only a pittance for St. Mary's in cardiac care.

Cambridge's hospital was ordered to be expanded 10 years ago. John Milloy, on behalf of George Smitherman, put a shovel in the ground on December 21, 2005, and not a thing has happened since. The feds gave you almost half a billion in new health dollars. Giving you money like that is a waste of time; they might as well have given it to AIG. Stop playing politics with the lives of the people of our region. When will the expansion of Cambridge Memorial Hospital be built?

Hon. Dalton McGuinty: I appreciate the passion, but I wonder where it was when the member sat in government and when the government of the day cut funding to health care in the province of Ontario.

Again, when it comes to the community—Waterloo health care—we have increased funding for St. Mary's hospital by 31%, Grand River Hospital by 30%, Cambridge Memorial Hospital by 16%. The community is now home to nine family health teams serving 183,000 patients.

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I take it from the member's question, once again, that he's asking us to ensure that our budget includes more supports for our families, more supports for their schools, more supports for their health care. At the beginning of question period, they asked us to do one thing alone, which is to cut taxes for business. I want them to know—

The Speaker (Hon. Steve Peters): Thank you, Premier. New question.

UNIVERSITY FUNDING

Mr. Rosario Marchese: A question to the Minister of Training: Despite the fact that the Premier himself has aligned the economic recovery of this province with the

knowledge economy, the Ontario Confederation of University Faculty Associations report released today shows that our universities are in serious trouble. The report confirms what we've been saying for a long time: over-subscribed courses without enough seats for students, larger classes, classes folded into other classes when faculty members retire, fewer full-time professors, less student-faculty interaction, fewer labs and individualized assignments. When will you pull Ontario out of the cellar in terms of funding and allow our universities to lead us into the knowledge economy and out of the current recession?

Hon. John Milloy: I appreciate the honourable member's question, and I appreciate the work that's done by OCUFA in terms of talking about how we want to move forward in terms of our colleges and universities. But I reject the premise of the honourable member's question. Under the leadership of Premier McGuinty, we've made post-secondary education a priority for this government. In 2005, we brought forward the Reaching Higher plan, which represented one of the largest single investments in our colleges and universities in Ontario's history. Its focus was on accessibility for students as well as excellence.

Let the statistics speak for themselves: Operating funding at colleges and universities has increased by 57% since 2003. On the infrastructure front, on my watch alone, this mandate, since 2007, we have invested nearly \$1 billion in terms of upgrading—

The Speaker (Hon. Steve Peters): Thank you. Supplementary?

Mr. Rosario Marchese: Just once, I want to see you stand up and say we are not number 10 any longer. Then your numbers and your stats would mean something, because they don't at the moment.

Based on the polling of 2,000 faculty members and librarians, this report states: "The continued neglect of our universities through swelling classes, detrimental hiring practices, and deteriorating facilities will prove disastrous to our province's ability to provide quality education and deliver a strong research capacity."

If your ministry is not prepared to lead us into the knowledge economy, who will?

Hon. John Milloy: For once I would like that honourable member to stand up and admit what everyone in this Legislature knows, which is that Ontario has one of the finest post-secondary education systems in the world.

Last year, over 37,000 students from around the world chose Ontario universities.

Let me tell the member a few facts about the Ontario system. Two of Ontario's universities scored within the top 100 in the Academic Ranking of World Universities. Five of the world's top 200 universities, according to the Times Higher Education Supplement, are from Ontario. The University of Toronto, which the honourable member helps represent, and the University of Waterloo, made Newsweek's top 100 global universities index. York University's Schulich School of Business is ranked

first among Canadian business schools and ranks eighth in the world for financial services.

We continue to make post—

The Speaker (Hon. Steve Peters): Thank you. The member for Thunder Bay–Atikokan.

HEALTH CARE

Mr. Bill Mauro: My question is for the Minister of Training, Colleges and Universities.

In my community and communities across Ontario, health care is a key issue. My constituents want to know that are we doing everything we can to ensure that their families have access to quality health care. In these times of economic challenges, people are anxious to know that the public institutions they have come to rely on will continue to serve them well.

In order for our health care system to continue to thrive, the government must ensure that an adequate supply of doctors, nurses and other health care professionals are being trained to meet increasing demand. I often hear from constituents who do not have a family doctor or access to a primary health care provider.

Speaker, through you to the minister, can you tell me what are you doing to ensure that Ontario's families have access to doctors and nurses in their communities?

Hon. John Milloy: I thank the honourable member for the question and for his advocacy on behalf of this important issue. The post-secondary education system has been expanded to allow for the training of more doctors and nurses under our watch. In fact, we've increased the number of first-year medical spaces by 160 new spots since 2004. We've also expanded medical education to bring it closer to more communities, supporting the creation of four new undergraduate satellite medical campuses in St. Catharines, Waterloo region, Windsor and Mississauga.

We're also taking steps to train more nurses. Last year our government provided colleges and universities with over \$81 million to support nursing degree programs in Ontario. This helped over 3,700 new full-time entrants enrol in nursing degree programs.

The Speaker (Hon. Steve Peters): Supplementary?

Mr. Bill Mauro: In northern Ontario, we face unique challenges when it comes to training and recruiting health care professionals. Studies show that students are more likely to stay and practice where they study. That is why my community was delighted by the news that Thunder Bay would be home to a new campus of the Northern Ontario School of Medicine, more commonly known as NOSM. I can recall clearly the decision by the government of the day not to award a campus for the medical school to Thunder Bay. It was a fantastic effort on the part of many people in our community that ultimately forced the change in the publicly announced decision that only Sudbury would be home to Ontario's newest medical school. NOSM will play a pivotal role in encouraging more doctors to practise and settle in Thunder Bay, Sudbury and elsewhere in the north.

Minister, you know NOSM has just passed its fourth anniversary. Could you please update us on the progress made by NOSM so far?

Hon. John Milloy: I congratulate the member for the support that he has offered and that of his community for NOSM. I'm pleased to report to the Legislature that last week, NOSM was granted full accreditation by the Committee on the Accreditation of Canadian Medical Schools and the Liaison Committee on Medical Education. These two organizations work together to set, maintain and improve the standards for undergraduate medical education at all Canadian medical schools. Receiving full accreditation for NOSM's MD program is the final step in a multi-year process aimed at ensuring the school meets all the required standards.

Accreditation is yet another milestone in a year of many for NOSM. This spring, the school will celebrate its first graduation of medical school undergraduates and the completion of the first group of family medicine residents from the family medicine residents of the Canadian Shield program.

PUBLIC TRANSIT

Mr. Frank Klees: To the Minister of Transportation: At a time when people can least afford it, two of the largest providers of public transit in this province are hiking fees for commuters. The TTC is slapping a new parking fee on Metropass holders that will translate into an increased cost of some \$1,400 a year. GO Transit hit its riders with a fare increase this month. Surely, the minister agrees that these increases couldn't come at a worse time.

My question to the minister is this: Why does he remain silent, as the Minister of Transportation, on these fare increases? And will he step in to ensure that, at this time, not only will those fare increases contradict his government's stated policy of expanding public transit and protecting consumers—

Hon. James J. Bradley: Of course, I say to the member, you know that an unprecedented amount of money is being invested in GO Transit services and all public transit services in this province. He will recall when the government, of which he was a part, cut funding completely. For three years, I believe it was, there was absolutely no capital funding that came from the Conservative government. They totally abandoned—I know he spoke against it; I know that, secretly, he spoke against it—any expenditures on GO Transit in terms of capital. It was down to a measly \$30 million, measly in terms of what we expend today on GO Transit in terms of operating.

In order to be able to ensure that we are going to have vast improvements taking place, we have those who use it contributing and the general taxpayers contributing. So I guess this is a spend question, because he would like the government—

The Speaker (Hon. Steve Peters): Thank you, Minister. Supplementary?

Mr. Frank Klees: Actually, it's not a spend question at all; it is an accountability question. What I'm asking

the Minister of Transportation to do, which I know he can do if he chooses to, is to hold both GO Transit and the TTC accountable for how they're spending the money that is transferred to them by the province. What he should be doing as the Minister of Transportation is saying to GO Transit and to the TTC, "At this point in time, with the economy what it is, we cannot download additional costs on commuters," and they should look to their own budgets, balance them and deliver efficient service without downloading it on commuters.

Interjection: The duke.

Hon. James J. Bradley: As my colleague says, you were part of a government that was the duke of downloading, as far as municipalities were concerned.

I know on one hand that the member legitimately asks, as do his colleagues, that we improve GO service in the province of Ontario, that we undertake major projects to get out of the traffic jams we're in at the present time. I agree with him, whenever he or his colleagues ask that. What it requires is an investment both on the part of the general public—and that's why I say it's a spend question in this particular case, because he's implying that the general taxpayer should pay more and more—but also, a contribution is asked from those who actually use the system.

I know that the member would never want to see a diminishing of GO service. He'll be supporting our vast expansion of it and he's happy, I'm sure, that the provincial government is back in the public transit business.

SEVERANCE PAYMENTS

Mr. Paul Miller: My question is to the Premier. Last week I travelled to Windsor to support Aradco and Aramco workers, whose plants had recently closed. They were forced to lock themselves in their plant to protest the fact that they did not receive the back pay, vacation pay and severance pay they were owed. In the current economic climate, it is more important than ever to pass my Bill 6, the legislation I introduced in December 2007, which would create a fund to provide laid-off workers monies owed if their company went under.

While they eventually reached a deal, they only received about eight weeks' vacation pay, a lot less than the \$1.5 million they were owed. This would never have happened if this government had passed Bill 6, or even dealt with it. Why won't this government pass Bill 6?

Hon. Dalton McGuinty: To the Minister of Labour.

Hon. Peter Fonseca: I'm not sure if the member is aware of this, but he should be aware of this. This province, the province of Ontario, has the best severance protections in the whole country. My predecessors and I have written to Minister Blackburn and we have written to Minister Ambrose about the wage earner protection program. We continue to advocate to include termination severance. They have done that. We've asked them to ensure that it rolls back to when they brought forward the wage earner protection program, and that was July 2008.

This Premier has continued to advocate for fairness when it comes to Ontario workers and employment insurance. Ontario workers should—

The Speaker (Hon. Steve Peters): Thank you, Minister.

There being no deferred votes, this House stands recessed until 1 p.m.

The House recessed from 1143 to 1300.

WHITNEY BLOCK

The Speaker (Hon. Steve Peters): Before we move to introduction of guests, we're having some difficulties with the bells working over in the Whitney Block right now. We're attempting to correct that. So I would just say to the members who are here and the others who may be back in their offices, and to their staff as well, that in the event of any division, I would hope that you'll be watching the televisions closely today. Hopefully, the bells will be working in Whitney tomorrow, but I will keep you informed.

INTRODUCTION OF VISITORS

Hon. Christopher Bentley: I'm delighted to welcome Merv Hillier, Katharine Harvey, Angie Brennand and Sharon Armstrong from the Certified Management Accountants of Ontario; Ted Wigdor from the Certified General Accountants of Ontario; and Tom Warner and Chris May from the Institute of Chartered Accountants of Ontario. Welcome.

MEMBERS' STATEMENTS

DAYCARE

Mr. Garfield Dunlop: When is this government going to keep its promise to the Treasure Island Daycare Centre?

In a January 28 letter, Minister Matthews states: "I appreciate the urgency of your funding requests and recognize the difficulty you face in having to relocate your child care centre from the OPP headquarters in Orillia. However, given the unique situation you face, our government will work with you to ensure there is adequate funding available to help Treasure Island and the families and children you serve move smoothly into a new site, based on its detailed business plan." That was two months ago.

Today, I got another letter from Scott Beaumont, the chairman of the board of Treasure Island Daycare Centre. He says, "It is with great urgency that we, the board of directors of Treasure Island Daycare Centre, appeal to you for financial support for our relocation project. Despite the commitment you made to assist Treasure Island in your January 28 letter, funding has not been confirmed."

There are a number of reasons they add here.

In conclusion he says, "Every family needs to feel secure in their child care arrangements. Every employee

needs to feel secure that their job will be there tomorrow. I urge you to act without delay and provide funding to support Treasure Island's relocation proposal."

It is your OPP, it is your Ontario Realty Corp., it is your Ministry of Children and Youth Services. I want the government to commit today to resolve the crisis that they have created at the Treasure Island Daycare Centre in Orillia. People should not be suffering for the mistakes made by this government.

SEVERANCE PAYMENTS

Mr. Paul Miller: On Saturday, I participated in a Hamilton rally to protest the inaction of the federal and provincial governments in the face of layoffs and the current economic crisis. The rally saw 2,000 people meet at the convention centre and march through downtown to the federal building.

It is unacceptable that the McGuinty government does nothing while thousands of Ontarians lose their jobs. Many people at the rally were former Stelco-US Steel workers who are now unsure of how they will manage to pay for their mortgages and how they will afford to send their kids to college.

Similarly, laid-off workers in Windsor had a rally last week to demand payment of their vacation and severance pay. They have still only been guaranteed a fraction of what they are owed—and they had to actually occupy the plant to get attention.

The government should listen to the demands of these workers. They need an immediate influx of stimulus for infrastructure projects in Hamilton and Windsor and many other areas of Ontario. They need the government to stop the erosion of our base industries.

Ontario workers deserve Bill 6, to protect the vacation and severance pay that they have worked long and hard over the course of a lifetime to earn.

As Saturday's rally showed, workers from across the province are demanding legislation to protect them. It is time for this government to start listening.

The Speaker (Hon. Steve Peters): The member for Haliburton–Kawartha Lakes–Brock.

Applause.

EDUCATION FUNDING

Mr. Rick Johnson: Ontarians know that education is a key builder of both strong citizens and a strong economy. That's why it gives me great pleasure, as the former chair of the Trillium Lakelands District School Board in the riding of Haliburton–Kawartha Lakes–Brock, to stand in appreciation of this government's dedication to our children's future.

The McGuinty Liberals are committed to ensuring that all students have the opportunity to reach their full potential. I have seen this commitment first-hand in our schools and in my community.

We have been working hard for Ontario's students, and the results are already showing. Overall education

funding has increased by almost 32% to the school boards that collectively serve my riding. This means more money for special education, transportation services and language programs.

We have hired more primary school teachers, more library staff and additional educational support staff, reducing class sizes and ensuring that each student gets the attention and resources needed to succeed.

Funding through our safe schools strategy is helping to provide a safe learning environment for all students in my riding. Our community use of schools funding also provides an opportunity for all students to participate in after-school programs and build essential life skills.

These funding initiatives underscore the McGuinty Liberals' commitment to the educational success of Ontario's students. I applaud these initiatives and will continue to work hard to ensure that education in this province is the best that it can be.

DEADSTOCK INDUSTRY

Mr. Ernie Hardeman: The Minister of Agriculture has created a health and environmental hazard that could have been avoided. Farmers rely on the companies which collect deadstock to ensure safe disposal of dead animals. BSE regulations made it more expensive to dispose of deadstock. These companies have relied on government support to continue dealing with the dead animals safely. But the Minister of Agriculture has cut the funding without putting a plan in place. She says there are new regulations, but now it turns out that they will not be ready until later this spring. In the meantime, farmers are stuck with dead cows they can't afford to dispose of.

Why would anybody destroy the old program before the new one is ready? Perhaps the minister needs to get out of Toronto and talk to those farmers, or start listening to the agriculture groups. The Ontario Federation of Agriculture said, and I quote: "The alternatives are dangerous and unacceptable to the farming industry and to the rest of society. We cannot allow dead and decaying animals to collect in out-of-sight locations, because of the dangers of disease and the attraction of wildlife." The Ontario Cattlemen's Association said: "We hope the ministry will continue to support the collectors. On-farm disposal is not our preferred option." The Dairy Farmers of Ontario said that on-farm disposal isn't practical and that the issue must be addressed.

In fact, it seems that the minister is the only one who doesn't know we have a problem. The McGuinty government must restore this funding in this week's budget to make sure that the problem doesn't become worse.

OAKVILLE PROVINCIAL ECONOMIC COUNCIL

Mr. Kevin Daniel Flynn: I rise in the House today to recognize a local group that I've recently created in my own community of Oakville. The Oakville Provincial Economic Council, whose membership is composed of business and community leaders from all across Oakville,

was created to discuss new ideas and best practices that are going to help to see our community through these challenging economic times.

I'm really fortunate to have such a wealth of talent in my local community of Oakville. I'd like to thank the following individuals who attended our first inaugural meeting. There was Tom Adams, who is a regional and town councillor; Aby Alameddine, chair of the board of directors for the chamber of commerce; and Mike Gallagher, the business manager of International Union of Operating Engineers Local 793. There was Gary Gregoris, who is the vice-president of land at Mattamy Homes; Sanjiv Joshi, branch manager at Scotiabank; Ken Nevar, executive vice-president of Cooper Construction; and Jill Birch, the vice-president of business development at Sheridan College.

I'd also like to extend a sincere thank you on behalf of all the members of the group to Premier McGuinty, who was able to join the meeting and listen to some of the group's ideas.

I'd like to thank all the participants who were able to join our first meeting. I look forward to meeting with them again on a regular basis. Rest assured that I'll be bringing their ideas and their concerns back to our government, and their input on the economic supports and programs we're providing, so that local voices in my community can be heard.

ONTARIO BUDGET

Mr. Ted Arnott: This government is leaking like a sieve. It is repeatedly defying our important parliamentary convention of budget secrecy. That's why I asked this morning whether the Premier condoned or authorized a serious breach of budget secrecy committed by the Minister of Municipal Affairs. The non-answer I received was meaningless and, indeed, disrespectful of all members of this House. Instead of showing courtesy for members of this Legislature, the Premier and the Minister of Municipal Affairs have shown utter indifference, both in their politically motivated budget leaks and their weak response to a very serious question this morning.

1310

But the leaks began almost three weeks ago, when the Minister of Finance broke the news to an elite Toronto audience that Ontario is facing a staggering \$18-billion deficit. Why did he bypass the elected members of this Legislature to break the news, and why, if he knew this number three weeks ago, did he delay the budget?

This government's cynical media manipulation just won't work. It won't work in this Legislature, which they seem content to ignore; it won't work with the news media, which can't be fooled; and it won't work with the public, which the government consistently underestimates.

I'm confident that Ontario will overcome the government's feeble economic record, but we need a serious budget that respects our traditions and our institutions.

What we don't need are more leaks, more manipulation and more contempt for this Legislature.

LEADING WOMEN, BUILDING COMMUNITIES AWARD

Mr. Phil McNeely: On March 12, I was joined in my riding by the Honourable Deb Matthews, Minister of Children and Youth Services and minister responsible for women's issues. Together, we presented seven community activists from Ottawa-Orléans with the Leading Women, Building Communities Award.

I'd like to take this opportunity to recognize the recipients:

—Christine Tremblay, the executive director of Arts Ottawa East, who has spearheaded the local arts council's efforts to bring the Orléans Shenkman Arts Centre to fruition. Our grand opening will be in June this year;

—Judith Cane, the president of Antara Financial Group, who never ceases to stay involved in our community. She's a past chair of the Orléans Chamber of Commerce, the president of the Women's Business Connection and much more;

—Sandra MacInnis, the former executive director of Team Ottawa-Orléans, our local socio-economic development agency, brought together all three levels of government to work together on Orléans' key issues;

—Sharon Lawrence and Pierrette Woods, the co-chairs of the Innes Re-zoning and Development Group, formed the IRDG to reach out to the community to form a consensus on the development of the Innes industrial park;

—Zybina Richards, the president of the Fallingbrook Community Association, has boosted community spirit through several events every year, including Canada Day, Summerfest and several other events that have benefited the community; and

—Janise Johnson, the chairwoman of the Team Ottawa-Orléans Health Working Group, has brought about real change to our community in regard to health care. Through her hard work, Orléans has a family health team.

I was proud to honour these seven outstanding women and thank them for their continuous contributions and dedication to our community.

DAVID BENNINGTON WEATHERHEAD

Mr. Lorenzo Berardinetti: It is with great pleasure that I rise to pay tribute to a former member of Parliament for the former riding of Scarborough West, Mr. David Bennington Weatherhead. Upon learning of Mr. Weatherhead's hospitalization, I paid him a visit at Providence Healthcare Hospital, where he was recuperating following surgery. He had recently turned 81 years young on February 19, 2009, and he is getting better every single day.

I just wanted to tell the House that Mr. Weatherhead was elected to the federal House of Commons on two separate occasions, in 1968 and again in 1980, as MP for

Scarborough West. He served as parliamentary secretary to the Minister of State for Urban Affairs and then, later on, as parliamentary secretary to the Minister of National Health and Welfare. Mr. Weatherhead also served as chair of the health, welfare and social affairs standing committee and was a member of other committees in the federal government. The greatest contributions of Mr. Weatherhead's tenure as committee chair include the passage of the Unemployment Insurance Act and the national medicare act of 1984.

Too often we forget that public service involves tremendous sacrifice by members of our public. Mr. Weatherhead is one of these individuals. He himself forward on several occasions during elections, got elected, made a difference and helped to make Scarborough and Ontario and Canada a better place. Our children need to know that the contributions of our former politicians matter, especially while they're still here in our midst.

I wish, on behalf of our government and all members of this House and the people of Scarborough, to express our deepest gratitude to former MP David Weatherhead and wish him a swift recovery.

NOWRUZ

Mr. Reza Moridi: This past Friday, March 20, at 7:44 a.m., marked the first day of Nowruz. Nowruz is a rich tradition followed by many countries and marks the first day of spring. Nowruz literally means "a new day." It is a celebration of the spring equinox.

Nowruz is widely celebrated in various central Asian countries, such as Iran, Afghanistan, Turkmenistan, Kyrgyzstan, Kazakhstan, Uzbekistan, Tajikistan, the Republic of Azerbaijan and in the Kurdish regions of Turkey, Iraq and Syria. The Baha'is, Zoroastrians and Ismaili Shia Muslims, who trace their origin to Iran, also celebrate Nowruz.

Nowruz has been celebrated for at least 3,000 years. It is the rebirth of nature and can be easily celebrated by all people in the world. About 200,000 Ontarians from various ethnic, cultural and religious backgrounds celebrate Nowruz each year.

Numerous celebrations were organized by the Iranian community throughout the GTA, which were attended by a few of my colleagues: Deputy Premier Smitherman, Minister Wynne, Minister Chan and MPP Zimmer and MPP Jaczek. I wish to thank all of my colleagues in this House again for passing my resolution last year proclaiming the first day of spring as Nowruz in Ontario. I would like to extend my warmest greetings and best wishes for a festive Nowruz.

INTRODUCTION OF BILLS

ACCOUNTING PROFESSIONS ACT, 2009

LOI DE 2009

SUR LES PROFESSIONS COMPTABLES

Mr. Bentley moved first reading of the following bill:

Bill 158, An Act to repeal and replace the statutes governing The Certified General Accountants Association of Ontario, the Certified Management Accountants of Ontario and The Institute of Chartered Accountants of Ontario / *Projet de loi 158, Loi visant à abroger et à remplacer les lois régissant l'Association des comptables généraux accrédités de l'Ontario, les Comptables en management accrédités de l'Ontario et l'Institut des comptables agréés de l'Ontario.*

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

First reading agreed to.

The Speaker (Hon. Steve Peters): The minister for a short statement?

Hon. Christopher Bentley: I am pleased to introduce legislation that would, if passed, help ensure greater public transparency for the accounting profession while providing their governing bodies with new powers to protect consumers.

Si le projet de loi est adopté, il modernisera et harmonisera la gouvernance des trois principaux organismes comptables dans la province : l'Institut des comptables agréés de l'Ontario, l'Association des comptables généraux accrédités de l'Ontario, et la Société des comptables en management de l'Ontario.

The bill would harmonize and modernize the governance of the three main accounting bodies in this province: the Institute of Chartered Accountants of Ontario, the Certified General Accountants of Ontario and the Society of Management Accountants of Ontario, and I ask everyone to support the legislation.

MOTIONS

COMMITTEE MEMBERSHIP

Hon. Monique M. Smith: I believe we have unanimous consent to put forward a motion regarding committee membership.

The Speaker (Hon. Steve Peters): Agreed? Agreed.

Hon. Monique M. Smith: I move that, pursuant to standing order 113(c), the following changes be made to the membership of the Standing Committee on Regulations and Private Bills: Mr. Johnson is added.

The Speaker (Hon. Steve Peters): Is it the pleasure of the House that the motion carry? Carried.

Motion agreed to.

PETITIONS

EMPLOYMENT INSURANCE

Mr. Mike Colle: A petition to the Legislative Assembly of Ontario entitled Fairness for Ontario Workers.

"Whereas the federal government's employment insurance surplus now stands at \$54 billion; and

“Whereas over 75% of Ontario’s unemployed are not eligible for employment insurance because of Ottawa’s unfair eligibility rules; and

“Whereas an Ontario worker has to work more weeks to qualify and receives fewer weeks of benefits than other Canadian unemployed workers; and

“Whereas the average Ontario unemployed worker gets \$4,000 less in EI benefits than unemployed workers in other provinces and thus ... not qualifying for many retraining programs;

“We, the undersigned, petition the Legislative Assembly of Ontario to press the federal government to reform the employment insurance program and to end the discrimination and unfairness towards Ontario’s unemployed workers.”

I sign this petition, along with thousands of other Ontario workers.

SALES TAX

Mr. Norm Miller: I have a petition to do with the auto industry and it reads:

“Petition to the Legislative Assembly of Ontario.

“Whereas the auto industry in Ontario and throughout North America is experiencing a major restructuring; and

“Whereas the current economic crisis is affecting the auto manufacturers and the front-line dealerships throughout Ontario; and

“Whereas many potential automobile purchasers are having difficulty accessing credit even at current prices; and

“Whereas a three-month tax holiday of the PST on the purchase of new cars and trucks would stimulate auto sales;

“Now, therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the government of Ontario implements a three-month PST tax holiday on new vehicle purchases, and that the Ontario Minister of Finance include this PST holiday in the next provincial budget.”

I support this petition.

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PROPERTY TAXATION

M^{me} France Gélinas: I have a petition signed by the people in Nickel Belt and Sudbury, and it goes as follows:

“Whereas 2009 is a reassessment year in the province of Ontario; and

“Whereas the assessments will be phased in over a four-year period from 2009 to 2012; and

“Whereas the assessed values for current value assessments collected as of January 1, 2008, were obtained during years of high real estate activity in the province of Ontario; and

“Whereas the downturn in the current global economic climate has greatly affected the real estate market, and subsequently, the assessed values in the province of Ontario;”

They ask the Legislative Assembly of Ontario as follows:

“That the Minister of Finance for the province of Ontario roll back assessed values to the base year of January 1, 2005.”

I support this petition, will affix my name to it and send it to the Clerk with page Olivia.

ROUTE 17

M. Jean-Marc Lalonde: Une pétition à l’Assemblée législative de l’Ontario :

« Attendu que la route 17/174 a besoin d’être élargie à quatre voies, du chemin Trim à la route régionale Prescott-Russell 8 afin d’améliorer la sécurité routière;

« Attendu que la route 17/174 a été reconnue par le passé pour sa condition dangereuse ainsi que le taux d’accidents annuel notable;

« Attendu que cette route représente la principale voie d’accès à la capitale nationale pour la population ouvrière de Clarence-Rockland, Alfred et Plantagenet et Hawkesbury;

« Attendu que les comtés unis de Prescott-Russell ont manifesté leur intérêt à effectuer une étude environnementale destinée à l’agrandissement de la route 17/174 en passant une résolution au conseil;

« Attendu que la ville d’Ottawa a passé une résolution au conseil demandant soit à la province ou aux comtés unis de Prescott-Russell de prendre l’initiative de l’étude environnementale pour la route 17/174;

« Attendu que le gouvernement fédéral et le gouvernement provincial se sont tous deux engagés à fournir 40 \$ millions pour l’élargissement de la route 17/174;

« Nous, soussignés, adressons à l’Assemblée législative de l’Ontario la pétition suivante :

« Nous demandons que les fonds nécessaires soient alloués aux comtés unis de Prescott-Russell afin de réaliser l’évaluation environnementale obligatoire à l’élargissement de la route 17/174 de deux à quatre voies, du chemin Trim à la route régionale Prescott-Russell 8. »

J’y ajoute ma signature.

HOSPITAL FUNDING

Mr. Robert Bailey: I have a number of petitions here, 10,600 and some, actually, from the Save Our Sydenham Committee, addressed to the Legislative Assembly of Ontario.

“Whereas the citizens of the area serviced by the Sydenham District Hospital, which includes Wallaceburg, Walpole Island, Dresden, Port Lambton and surrounding rural areas, have been advised by the Erie St. Clair Local Health Integration Network that Hay Group Health Care Consulting has recommended the closing of the emergency department in Wallaceburg..., and;

“Whereas the citizens repeatedly hear from the CEO of the Erie St. Clair LHIN that (1) it is only a recommendation; (2) that the recommendation is not about money; (3) that the LHIN is engaged in community

consultations; and (4) that no decision has been made; and

“Whereas the Chatham–Kent Health Alliance commissioned a study which clearly reported that the CKHA is in a deficit position. One way to save money is to close the Wallaceburg ER and realign the ... beds to Chatham. This report was made public on January 28, 2009, which was exactly five days after the Hay report; and

“Whereas the CKHA has undermined all efforts to keep the emergency department in Wallaceburg open. Sydenham Campus Hospital physicians and nurses have been advised ... that the entire medical floor will be closed and some beds will realign to Chatham hospital as of July 27, 2009...;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To take the necessary steps to ensure that the emergency department of the Sydenham Campus Hospital in Wallaceburg remain open and continue to operate as a full emergency department, and to direct the Erie St. Clair LHIN to re-examine CKHA operational budget and sufficiently fund the CKHA in order to keep” this hospital campus open.

I agree with the petition and add my name.

PROTECTION FOR MINERS

M^{me} France Gélinas: I have a petition from the people of Mattawa.

“Whereas the current legislation contained in the Ontario health and safety act and regulations for mines and mining plants does not adequately protect the lives of miners, we request revisions to the act;

“Lyle Everett Defoe and the scoop tram he was operating fell 150 feet down an open stope (July 23, 2007). Lyle was 25 years and 15 days old when he was killed at Xstrata Kidd Creek mine site, Timmins.

“Section R-60 (page 60 of Mining Regulations) ... states that, ‘A shaft, raise or other opening in an underground mine shall be securely fenced, covered or otherwise guarded.... The stope where Lyle was killed was protected by a length of orange plastic snow fence and a rope with a warning sign. These barriers would not have been visible if the bucket of the scoop tram was raised. Lyle’s body was recovered from behind the scoop tram.

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“Concrete berms must be mandatory to protect all open stopes and raises;

“All miners and contractors working underground must have working communication devices and personal locators;

“All equipment involved in injuries and fatalities must be recovered and examined unless such recovery would endanger the lives of others; and

“The entire act must be reviewed and amended to better protect underground workers.”

I fully support this petition, will affix my name to it and send it to the clerks with Emily.

PROFESSIONAL HOCKEY FRANCHISE

Mr. Kevin Daniel Flynn: I’ve got a petition today from people from Nanticoke, Hamilton, Binbrook and Ancaster, and it reads:

“To the Legislative Assembly of Ontario:

“Whereas Maple Leaf Sports and Entertainment has the highest average ticket revenue per game in the National Hockey League; and

“Whereas the Toronto Maple Leafs are ranked the most financially valuable team in the NHL; and

“Whereas many Hamilton and greater Toronto area hockey fans are unable to attend professional hockey games due to a lack of adequate ticket supply; and

“Whereas the Hamilton and greater Toronto area boast the biggest and best market in the world for hockey fans, with Maple Leaf Sports and Entertainment bringing approximately \$2.4 billion to the local economy over 10 years; and

“Whereas a new franchise in the Hamilton and greater Toronto area is valued at \$600 million by some economists; and

“Whereas competition in both business and sports is healthy for both the Hamilton and greater Toronto area economy and sports team performance; and

“Whereas despite having the most loyal fans in the world, the Toronto Maple Leafs have not won the Stanley Cup in over 40 years; and

“Whereas Hamilton and greater Toronto area fans deserve competitive professional hockey teams;

“We, the undersigned, petition the Legislative Assembly of Ontario as follows:

“To request that the government of the province of Ontario express its strong support to the board of governors of the National Hockey League for the relocation or expansion of a second NHL hockey team in the Hamilton and greater Toronto area in order to realize the economic advantages to the taxpayers of the province of Ontario and to provide healthy competition to the existing Toronto NHL franchise.”

As a season ticket holder, I agree with this and will affix my name thereto and send it to you with Everett.

CHILD CARE

Ms. Sylvia Jones: I have a petition to the Legislative Assembly of Ontario.

“Whereas the Minister of Community and Social Services, Madeleine Meilleur, has decided that grandparents caring for their grandchildren no longer qualify for temporary care assistance; and

“Whereas the removal of the temporary care assistance could mean that children will be forced into foster care; and

“Whereas the temporary care assistance amounted to \$231 per month, much less than a foster family would receive to look after the same children if they were forced into foster care;

“We, the undersigned, petition the Legislative Assembly of Ontario to immediately reverse the decision

to remove temporary care assistance for grandparents looking after their grandchildren.”

I support this petition and am proud to affix my name to it and give it to page Megan.

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CHILD CUSTODY

Mr. Jean-Marc Lalonde: I have a petition here to the Legislative Assembly of Ontario.

“We, the people of Ontario, deserve and have the right to request an amendment to the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents, as requested in Bill 33, put forward by MPP Kim Craitor.

“Whereas subsection 20(2.1) requires parents and others with custody of children to refrain from unreasonably placing obstacles to personal relations between the children and their grandparents; and

“Whereas subsection 24(2.2) requires a court that is considering custody of a child to take into consideration each applicant’s willingness to facilitate as much contact between the child and each parent and grandparent as is consistent with the best interests of the child;

“We, the undersigned, hereby petition the Legislative Assembly of Ontario to amend the Children’s Law Reform Act to emphasize the importance of children’s relationships with their parents and grandparents.”

HOSPITAL FUNDING

Mr. Norm Miller: I have a petition to do with the Burk’s Falls health centre.

“To the Legislative Assembly of Ontario:

“Whereas the Burk’s Falls health centre provides vital health services for residents of Burk’s Falls and the Almaguin Highlands of all ages, as well as seasonal residents and tourists; and

“Whereas the health centre helps to reduce demand on the Huntsville hospital emergency room; and

“Whereas the operating budget for MAHC”—Muskoka Algonquin Healthcare—“is insufficient to meet the growing demand for service in the communities of Muskoka–East Parry Sound; and

“Whereas budget pressures could jeopardize continued operation of the Burk’s Falls health centre;

“Now therefore we, the undersigned, petition the Legislative Assembly of Ontario as follows:

“That the McGuinty government and Minister of Health provide adequate increases in the operating budget of Muskoka Algonquin Healthcare to maintain current health services, including those provided by the Burk’s Falls health centre.”

I support this petition.

FIREARMS CONTROL

Mr. Mike Colle: I have a petition to the Legislative Assembly of Ontario.

“Whereas there are a growing number of drive-by shootings and gun crimes in our communities; and

“Whereas only police officers, military personnel and lawfully licensed persons are allowed to possess handguns; and

“Whereas a growing number of illegal handguns are transported, smuggled and being found in cars driven in our communities; and

“Whereas impounding cars and suspending driver’s licences of persons possessing illegal guns on the spot by police would make our communities safer;

“We, the undersigned, petition the Legislative Assembly of Ontario to pass Bill 56 ... entitled the Unlawful Firearms in Vehicles Act, 2008, into law so that we can reduce the number of drive-by shootings and gun crimes in our communities.”

I support this petition and affix my name to it.

ASSISTANCE TO THE DISABLED

Mr. Ted Arnott: I have a petition to the Legislative Assembly of Ontario. It reads as follows:

“Whereas the Legislative Assembly of Ontario, on October 30, 2008, unanimously passed Wellington–Halton Hills MPP Ted Arnott’s resolution, which called on the provincial government to add attendant services to the provincial wait times strategy and to allocate funding according to how many individuals actually require services; and

“Whereas the Ontario Community Support Association has long advocated for these steps; and

“Whereas some disabled Ontarians remain on waiting lists of four to 10 years for necessary attendant services; and

“Whereas Ontarians with disabilities would have so much more to contribute to their communities and their province if they had the attendant services they require;

“We, the undersigned, petition the Legislative Assembly of Ontario to allocate the necessary resources in the 2009-10 provincial budget to provide full and timely access to attendant care services.”

This is signed by literally hundreds of Ontario residents. I, of course, support it as well and will affix my signature to it.

ORDERS OF THE DAY

EDUCATION AMENDMENT ACT (KEEPING OUR KIDS SAFE AT SCHOOL), 2009

LOI DE 2009 MODIFIANT LA LOI SUR L’ÉDUCATION (SÉCURITÉ DE NOS ENFANTS À L’ÉCOLE)

Ms. Wynne moved second reading of the following bill:

Bill 157, An Act to amend the Education Act / Projet de loi 157, Loi modifiant la Loi sur l’éducation.

The Deputy Speaker (Mr. Bruce Crozier): Ms. Wynne?

Hon. Kathleen O. Wynne: I'll be sharing my time with my parliamentary assistant, the member for Guelph. I just want to say at the outset that she has been very instrumental in bringing issues of school safety to the floor, has led the safe schools action team and has demonstrated the power of bringing together a group of people who are familiar with an issue and who can then recommend to government the next steps that provide for good policy-making. Thank you very much to her.

We know that even one incident of bullying or harassment in our schools is disheartening and is too many. I know that this is an issue that really transcends party lines. I'm looking forward to members of the opposition being supportive of this legislation that will, I believe, take another step towards making our schools safer.

Nous savons que ces incidents peuvent avoir un impact durable sur le bien-être des jeunes concernés et de leur famille. Il est évident que nous devons agir, et dès maintenant.

Our schools must be places where everyone—staff, students, parents and the community—feels welcome, safe and respected. Students need to feel safe and comfortable at school so that they can focus on learning. This is, in absolute terms, an issue of keeping kids safe at school and making sure that they are physically, emotionally and socially safe. But it's also about their achievement, because if students don't feel safe, if they don't feel respected and comfortable, and that they belong, then their learning will not be facilitated. If we're going to keep moving forward as a province in terms of our excellent education system, then we're going to have to make sure that our kids feel that safety at school.

In order to move forward, we have committed to, and stay committed to, the goals of increasing student achievement, of closing the gaps between kids who are achieving and kids who aren't, and of increasing public confidence in our publicly funded education system. These goals have not changed, and because they have not changed, we remain committed to helping all kids reach their potential.

As I said, the safe schools action team has demonstrated extraordinary leadership in moving us forward on this agenda. I want to thank all of the members of that team. I noted Liz Sandals, who's the member for Guelph; my colleague Leeanna Pendergast was also part of that team; and also members of the action team: Stu Auty, Dr. Inez Elliston, Ray Hughes, Dr. Debra Pepler and Lynn Ziraldo.

All of these folks helped us to come up with the steps that we need to take in order to make our schools safer. They looked specifically at gender-based violence, homophobia, sexual harassment and inappropriate sexual behaviour. Those issues, as we know, are very difficult ones. The action team's findings were sobering. They heard some positive stories of schools working with community agencies and students being supported, but they also heard too many stories of students feeling un-

welcome and unsafe at school. So there are actions that we all need to take.

Everyone has a role to play. Government has a role to play. School boards have a role to play—schools, parents, students and community agencies. The only way that we will ensure safety for all of our students at school is if all of those people involved in students' lives take responsibility and work together.

I want to make it clear that in introducing this legislation, I am in no way suggesting that there is one piece of legislation or one action that government alone can take to right any wrong that is happening in our school system. It is imperative that we find ways to work together, and that's indeed what the safe schools action team said. Creating and maintaining a positive school climate is a critical condition if we want our kids to learn and to achieve, but there are no simple or simplistic answers to that creation of a positive school climate. This legislation is one part of making that positive school climate a reality in every school in the province. Remember, we are talking about in the order of 5,000 publicly funded schools in this province. It is a huge endeavour.

We've done a lot, and a recent study by the Centre for Addiction and Mental Health revealed that, indeed, we are on the right track. What they found is that nearly 93% of students reported feeling safe in their school. So the reality is that the vast majority of kids do feel safe in their schools, feel that there are people they can talk to and feel that they belong. But we can't rest as a government and we can't rest as a society until every single student has that same sense of security.

The Keeping Our Kids Safe at School Act, Bill 157, is an important step. This proposed legislation was introduced two weeks ago. If passed, as I said then, this legislation would require school staff to report to the principal any incidents when students could be suspended or expelled.

1340

The Education Act already explains when student suspension and expulsion must be considered by the principal for activities such as bullying or assault. Principals can't act on the behaviours if they don't know they're happening. So it's important that staff be required to report to principals.

Now, we know that school staff in Ontario are committed to student safety. This legislation would indeed help to clarify the role of all school staff in reporting serious incidents to the principal. I just want to be clear that these changes will formalize what already takes place in the province, what is already common practice. But I've spoken in this Legislature many times about having asked the safe schools action team to look at where there might be legislative gaps. This is one of the gaps they found, and so we are putting this legislation in place. I don't want to imply that that kind of reporting of staff to principals is not already happening; it is common practice.

The policy requirement already exists for principals to report specified violent incidents to the police; that's

already in place. Students should feel comfortable reporting incidents to staff, knowing they'll be followed up on. Parents should also feel comfortable, knowing that these incidents will be responded to appropriately.

What this legislation would also require is that principals contact the parents of victims of student incidents in those cases when suspension or expulsion can be considered. We know that parents have a right to know when a child is a victim of such behaviour. This legislation fills another gap where principals have, until now, been required to report to the parents of the perpetrators of these serious incidents, but there hasn't been the equivalent requirement for the parents of victims.

I would just say that the legislation would require that reporting to the parents of victims, except in cases when it would cause the student harm to do so. I think we have to recognize that there is a need for principals to have the discretion, when there is a situation where they think that reporting to the parents of a victim could in fact worsen the child's situation, not to do that. That is entirely consistent with our belief and our contention that our principals in all our schools are very responsible leaders. We want to make sure there is a clear definition of the requirement, which is to report to parents of victims, but that there is the notion that if there is potential harm, principals have the discretion to make that decision.

If passed, this legislation will be the first in Canada requiring school staff to report serious student incidents to the principal and requiring principals to notify parents of victims. We're taking a leadership role in making clear what everyone's responsibility is.

Finally, the legislation would require staff to intervene to address inappropriate and disrespectful behaviour among students—such as racist or sexist comments—that is unacceptable in our schools. We'd only require staff to intervene if it was safe to do so, and I think that is consistent with what we've heard from the community and certainly from teachers.

Again, I would just say that this would put into legislation what we know is already common practice in the vast majority of our schools. What it may mean is asking a student to stop the behaviour, identifying the type of behaviour and why it's inappropriate and/or disrespectful, and asking the student for a change in future. We know that teachers in our schools do this every single day. What we're clarifying here is that it's an expectation that there would be that kind of intervention.

We know that this legislation is just part of the solution, and I have said that. We're moving ahead in many other areas, based on the action team's recommendations. The team recommended changes around the curriculum. They heard from participants that the school curriculum is one of the most effective ways for students to learn about healthy and respectful relationships. It's important to note that the safe schools action team, in conversation with me, made it clear that we need to find ways to support teachers and the school to focus on the discussion around what healthy relationships are. That's something that can be done within the school and also in connection

with other partners in the community, such as public health, to make sure we have the information and the resources in the schools to support teachers in that discussion with students. Again, these are not always easy conversations, so we need to make sure that our teachers have the support they need. We're moving ahead on those changes around the curriculum.

They also heard from participants that we needed to be sure that organizations work together.

En effet, l'équipe d'action avait eu vent de cas de bonne collaboration entre des écoles et des organismes communautaires. Ces organismes peuvent faire bénéficier le personnel scolaire de leur expertise pour soutenir les élèves et leur famille face aux problèmes complexes et souvent délicats. Les recommandations reflètent la nécessité de maintenir et de renforcer ces partenariats.

At the ministry, in fact, we're already providing support to school boards, through the student support leadership initiative, to help build partnerships with community agencies, including ones that provide mental health services to children and youth.

The student support leadership initiative is consistent with our belief and our actions within the Ministry of Education and across ministries that say that if we put children, our students, at the centre of a circle of care and we make sure that all of the adults involved with the student's life are talking to one another, then we are going to see better results for that student, whether those are social/psychological/emotional results or whether they are academic results. We need to make sure that in every board in every community, that collaboration is happening, so we've put money into the system to help to build those partnerships. Those networks are extremely important.

The action team also made some recommendations around data collection. They heard that sometimes schools don't know the extent to which the types of behaviours they were concerned about are occurring and how often they are occurring. The team recommended that the ministry expand its school climate surveys so that we could get information from those affected. Those anonymous surveys will help to gather that data. We're working to expand the existing school climate surveys. That's already happening; that work is under way.

As well, the ministry will be expanding the online bullying prevention registry to include resources that promote safe and inclusive schools. Before we came into office, those resources were not available in any systematic way to schools in the province. We've made them available, and we're going to be expanding that. We're going to be providing \$4 million for resources, training or activities that help promote safe, equitable and inclusive schools.

There may be questions about the need for training. What we need to make sure of is that everyone is on the same page. When I say "training," it is as much about making sure, if the new legislation is passed, that everyone is aware of what the expectations are and that everyone within school communities can find ways to

work better together in that new context. This work is really key to providing and promoting positive school culture and healthy and safe relationships.

The other issue is to make sure that we engage students. We have to be sure that through student councils, student-led clubs like gay-straight alliances, and opportunities for leadership, students can be a central part of the solution. We all know, from having been in high school, that students, especially in high schools and middle schools, need to be part of the solution. Programs like the Parents Reaching Out grants and the Student Voice project are already working to engage parents and students in that process.

And we're not finished. The action team made a number of other valuable recommendations in December in areas like collaboration with local police, prevention work and further training. We'll continue to provide a comprehensive response to the report.

It's an ongoing work. I think that if I were to stand here and say that the legislation we have introduced is the end of the journey and that if that legislation passes, we will have done everything we can do to make our schools safe, then everyone in and outside of this chamber would know that I was not being fully truthful. What I need to say to you and to the folks who are very concerned about this, which is every parent in the province, is that this is an ongoing journey. This is something that we have to be vigilant about, as parents, as legislators, as teachers and principals and support staff in all of our schools. Together we will find the solutions. We will find ways to make kids safer.

This legislation is part of that solution, but it is much broader. There are no simplistic answers here. We have to be vigilant. We have to continue to work together to make sure that our communities have the resources they need and that our staff have the clear understanding of what the expectations are. If we can do that, that will take us one step closer to making our schools as safe and secure as they can be.

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I look forward to working with the school communities to ensure that that is the case. I also look forward to the support of the Legislature on this legislation, because it is an important step towards that safer and more secure school community setting.

I'd like to share the rest of my time with my parliamentary assistant, the member from Guelph. Thank you.

The Deputy Speaker (Mr. Bruce Crozier): The Chair recognizes the member for Guelph.

Mrs. Liz Sandals: I'm delighted to be able to rise in the House today to support second reading of the Keeping Our Kids Safe at School Act and perhaps to provide context of how the act fits into the work of the safe schools action team.

I realize the time for introductions has passed, but I'm delighted to note that we have a lot of members of the retired teacher organization from Hamilton, Wentworth and Haldimand, I believe it is, in the gallery with us today, who just happened to be here for lunch. It's great

that they can drop in on an education debate. So welcome to those folks.

There are few things more important than the health, safety and well-being of our young people. Students must feel safe and welcome at school so that they can focus on learning. A safe learning environment is essential to their well-being and success at school. As part of our safe schools strategy, this bill will be one more step towards ensuring just that. Sadly, we know that there are young people who do not feel safe and welcome at school, and that is unacceptable to us.

Last year, Minister of Education Kathleen Wynne re-engaged the safe schools action team. I'm proud to have chaired that team, and it has been a real privilege to work with the folks who are members of that team. I'd like the people who are listening in on the debate this afternoon to understand that the safe schools action team is not a travelling gaggle of politicians, if you will. I'm obviously a politician. My colleague Leeanna Pendergast from Kitchener-Conestoga is also on the team, but she was a vice-principal of a secondary school before she became an MPP.

The other members of the team: Stu Auty, president of the Canadian Safe School Network; Ray Hughes, who has worked in the area of teaching students about healthy relationships out of the Centre for Prevention Science at CAMH in London; Lynn Ziraldo, who has a huge amount of experience with special education issues; Deb Pepler, who is one of the pre-eminent researchers on bullying in Canada and works with York University and the Hospital for Sick Children; and Inez Elliston, who has a host of experience working with race relation issues and is herself a retired educator. I just want to emphasize that these were people who had professional qualifications to look at the issues that we were dealing with and brought a wealth of experience to the table with them.

The minister asked us this time out to address issues of student-to-student gender-based violence, homophobia, sexual harassment and inappropriate sexual behaviour in schools. We also looked at barriers students faced to reporting these issues and reporting requirements for school staff. We participated in a review of local school board police protocols. We presented our final report to the minister in December. The report recommends actions that can be taken by government, by school boards and by school staff to make a difference for our students.

During our consultations, we met with people all across the province, including students, school staff, parents, police, community agencies and other members of the school community. I want to share with you some of the things that we heard during those discussions. We heard the statistics. A recent report from the Centre for Addiction and Mental Health in London states that the rate of sexual harassment in schools are significant. Some 36% of boys and 46% of girls in grade 9 reported that someone made unwanted sexual comments, jokes or gestures at them. The same study showed that 38% of

grade 9 boys and 26% of grade 9 females have used homophobic insults against other students. A third of both grade 9 boys and grade 11 boys have been victims of homophobic slurs. And we heard that gay, lesbian, bisexual and transgendered youth have one of the highest rates of suicide. In fact, it was the police that talked about that, and of course it's the police that are called on to investigate.

Clearly, these statistics are unacceptable. Bullying and harassment can make students feel that they do not want to come to school. It can affect their health, mental well-being and school success, because as teachers know, time on task is a determinant of how well you do at school, and if you don't come to school, you can't succeed at school. So it's important that all our young people want to come to school and want to be engaged in what's happening at school. Incidents like these can have long-lasting effects on the students involved, their families and the school community; they are unacceptable in our communities, and they are unacceptable in our schools.

More moving than the statistics were the individual stories we heard, many from the students themselves. The stories were difficult to hear, and I'm sure that they were not easy to tell, but the students, the courage that they showed and the insightful feedback we received from all of the consultation participants helped us to shape strong recommendations.

We heard from and about students who feel that school is not a place where they feel welcome. We heard stories of bullying, harassment and even violence directed at students. Some students feel isolated, invisible and all-too-often victimized to the extent that they are not only disengaging from their studies, but they are completely leaving school and in many cases even the community in which they live. One student told us that it is easy to withdraw if you don't feel like you fit in anyway. Some gay, lesbian, bisexual and transgender students told us they left their home communities and ended up living on the streets in Toronto hoping to find connection, compassion and service. This is not the future we want for our young people.

It was interesting to me that in one group of students we spoke with who were attending the alternative school here in Toronto that the Toronto District School Board runs for gay, lesbian, bisexual and transgender youth, I don't think any of them actually came from Toronto; every one of them had come from somewhere else. They'd either been disconnected from their school, sometimes they'd been thrown out of the family home, but every one of them had had to leave the school to which they had been assigned—clearly not the way that we want our schools to run.

Our schools should be able to provide an environment where all young people feel welcome and safe so that they can focus on learning. We have heard from students who have found that environment. I mentioned the alternative program here in Toronto, but there are many other settings in schools around the province where staff and community have worked to make supportive

environments, both for students who—I've been talking about students who are gay and lesbian, but also students who have been bullied. We found many positive stories where schools are working to create that positive environment, and once students feel safe and welcome, then they can re-engage in school and succeed, which is what we want them to be able to do.

That is the good news in this, that there are things we can do to improve the situation. There are actions we can take to help make our schools safer and prevent these types of behaviours.

1400

We heard about initiatives in schools that are helping. We heard about communities coming together. We heard about the resources that community agencies can provide, because in many cases there are agencies in the community that are equipped to provide support to students who are struggling, and they just need to be invited into our schools to work in partnership to make sure that students can take full advantage of the resources that are in the community, but of which the students may be unaware.

We heard that sometimes solutions can be simple, that something is better than nothing—a rainbow poster in a school that identifies a safe place to come, such as a gay-straight alliance where students can talk about the issues that concern them; an adult intervening when disrespectful or discriminatory language is used.

We heard directly from the young people that they notice; they notice action and they notice inaction. In the words of one student, "If the teachers don't call us out when they hear something happening that is wrong, then we assume it's okay." Over and over, we would hear this from the students: "If you don't correct us when we misbehave, the assumption is that the behaviour is permitted." Hence, in the legislation that we are debating this afternoon, intervention will be required.

We know that the majority of school staff already intervene. It's important to understand that in many, many schools, the staff do routinely intervene when they come across misbehaviour or disrespectful behaviour. But we want to make sure that that is the situation in every school, so we will be requiring intervention on the part of school staff when they run across disrespect and misbehaviour.

We have made a number of other recommendations. The report recommends actions that can be taken by government, boards and school staff to make a difference, but we know that there is no one simple solution. But I'm certain that with the proposed legislation, we will improve the situation. I think the one thing that we want everyone to understand is that everyone is part of the solution: As adults, we have a role to play; as government, we have a role to play; as the school board and the school administrators, we have a role to play; school staff have a role to play; and students have a role to play. Everyone has a role to play in making a safe, positive and healthy learning climate in schools.

I mentioned that this was the third report of the safe schools action team, and I'd like to give you a little bit of

the background of the other two reports. The first time out we worked on the issue of bullying prevention, and the second time out we provided a review of the former safe schools legislation. Those two previous reports have led us along the path to creating safer schools. First of all, the bullying prevention work: The action team was first appointed in 2004 to advise on the development of a comprehensive, province-wide approach to bullying prevention in Ontario schools. We consulted with students, school staff, parents, and community agencies and organizations about bullying, about reporting procedures, about the serious nature of the problem.

We presented our first report in November 2005. It was titled, *Shaping Safer Schools: A Bullying Prevention Action Plan*. As a result of that first round of consultations, we recommended procedures to allow students to report bullying incidents safely and in a way that would minimize the possibility of reprisal—because we know that is real. Following our recommendations, the government has produced a pamphlet for parents on bullying that is now available in 22 different languages and which has been very well received. It helps parents understand what to look for and where to go for help.

The government also introduced the online registry of bullying prevention programs.

Bill 212 added bullying to the list of misbehaviours for which suspension must be considered.

Our partnership with Kids Help Phone supports their work in providing anonymous support to children and young people who have issues that they want to discuss with somebody who can help them.

This team was engaged again in late 2005 to review the safe schools provisions of the Education Act. Through our many discussions with parents, educators, students and other community members, we heard that there needed to be more consistency, more fairness, a progressive approach to discipline, and more preventive measures. We listened. Those discussions led to Bill 212 and the changes that came into effect in February just over a year ago; changes that better combine discipline with opportunities for students to keep learning. We have moved toward a progressive discipline approach that allows for the most appropriate consequence to be considered in each case of inappropriate student behaviour. The changes also include more support for students who are on long-term suspension or who have been expelled and more efforts to help prevent inappropriate behaviour.

Schools and boards across the province are implementing innovative and exciting new programs to help get students back on track with their learning. I've been very pleased, as I travel around the province for one reason or another, to have people approach me and say, "Oh, I want to tell you about the new alternative program that we set up." I'm finding that educators are very, very excited to be able to offer alternative programs in boards all across the province. Prior to Bill 212, there were only 12 alternative programs set up by the previous government in the entire province. Now there are alternative programs in every single school board.

We've also put more resources into the system to help make prevention and counselling happen. We are helping boards fund more psychologists, more social workers, more child and youth workers, more attendants, counsellors and other non-teaching professionals. These are people we know need to be in the system, working alongside teachers, principals, other support staff and parents to offer students the additional support they may need.

We are also encouraging boards to build partnerships with community agencies like child and family services. In fact, we have provided funding to seed those local partnerships: getting the boards together with the community agencies that can support children in each region of the province. At the board and school level, I know there has been a lot of work to put these changes into place. This is the kind of coordinated, whole-community approach that will make these changes work for our students.

We are also investing in programs like the focus on youth program and the community use of schools program, which promote participation in community activities and help establish our schools as community hubs. We are providing \$10 million to 33 select high schools located in urban areas that face challenges such as poverty, criminal and gang activity, and a lack of community resources. This funding will help provide needed supports for students and their families, such as after-school recreational programs and peer mentoring opportunities.

Over the past five years, we have put more resources into the system to help prevent bullying, support students at risk and make our schools safer. We will continue to work closely with school boards, schools and our education partners as we work to implement these changes. Everyone should feel that they are welcome, an inclusive part of our publicly funded education system. We want to build a climate where everyone understands that each one of us is responsible for helping to maintain that positive school climate.

We are not shirking our responsibility. We are taking action.

I'm delighted to be able to support Bill 157.

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The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Christine Elliott: Let me say from the outset that this bill would not be coming forward to this Legislature at this time—it would be languishing on the backburner somewhere—if it hadn't been for the excellent advocacy work done by my colleague the member from Burlington with respect to the many complaints that she heard personally from people across the province of Ontario about their experience with the school system and their children who had been exposed to abuse at school.

We would have been happy to say that we would support this wholeheartedly, even at that, if the bill had actually been a true mandatory reporting bill, but, of

course, it isn't. The only mandatory reporting here is from the teacher to the principal. The principal then has absolute discretion about whether to proceed with it or not.

I would draw your attention to section 300.3, which says that "if the principal ... believes that a pupil of the school has been harmed as a result of an activity described" in subsections that prohibit that activity, then they shall notify the parents within a reasonable time. With all due respect, that's putting a really onerous burden on the principals and the schools to have to determine whether or not a child has been abused or has been harmed. In a situation where there may have been physical abuse, that may be readily apparent, but what about a situation where there has been psychological abuse? Is the principal really to be put in that position, as to make that determination to whether the parents should be notified or not?

Shouldn't it be required that all incidents of abuse, whatever nature, be reported to the parents, and the parents can then take whatever decision is necessary thereafter for their children? They know them best, after all. They are the ones who are required to be caring for their child and to make sure that their needs are being met. Shouldn't there be a mandatory requirement to report that to the parents for them to make a determination about what they want to do?

The other thing I would like to point out is that even if the principal is advised that there has been harm to a child, if they believe that there's going to be harm to that child by the parent or the guardian, the principal doesn't have to report it to them, but there's no indication as to who they report it to. Surely, there must be a requirement to report it to children's aid or to the police. Thank you. I'm sure my colleague will have more to say on that.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Rosario Marchese: I'll have an opportunity to speak to the bill in approximately one hour, but I do have a couple of questions of the minister.

One of the things this bill does is to clarify the role of all school staff as it relates to the idea of mandatory reporting. I'm assuming that includes cafeteria workers, social workers, police officers now—because they're hired in the schools, and presumably they're staff too; I'm not quite sure—secretaries and all that. I'm assuming these people are either trained or will be trained, because this is not an easy job to do. Based on what kinds of incidents we are going to be reporting, this is not going to be easy—one question.

The other question is, this requires staff to intervene where safe—I don't know how you determine that, but teachers are required to intervene when it's safe—on matters related to issues of racism and the like. The minister said that all teachers, or most teachers, were doing that in the past, and now they will be required to be doing it. I'm not quite sure—if they're all doing it, why are we requiring them to do it? And if so, are there any legal implications of requiring them now to do something

that in the past they would have been doing as a matter of duty of a teacher to try to solve a problem—where it may not be safe, by the way. Are there any legal implications in what you're requiring them to do?

Third, you talked about how you must engage students, but you didn't say exactly how you are going to do that. I agree with the idea, except the example you used was the Parents Reaching Out program, where there's \$3 million—I think that's what you said. If you've got some ideas, could you please share them?

Hon. Kathleen O. Wynne: Absolutely.

Mr. Rosario Marchese: Thank you.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Sophia Aggelonitis: I am very glad to stand up and support Bill 157. First, I'd like to congratulate the Minister of Education, as well as the member from Guelph and all the participants who have brought this very important legislation here to the House today. The minister said that this is an ongoing journey, and I completely agree. It is a step in the right direction, and I congratulate her for that, because there really isn't anything more important than making sure that our children are safe in school.

Interjection.

Ms. Sophia Aggelonitis: It's unfortunate that the member from Trinity-Spadina is heckling me while I want to talk about this very, very important issue.

If passed, Ontario would be the first province in Canada with legislation of this kind—that is important—making schools even safer and leading the way for its students to succeed.

I would like to take a moment to talk about some of our schools on Hamilton Mountain and to thank some of the principals, like George Gould, from Huntington Park, who knows about this legislation and is very glad we're finally bringing this to the House. I want to congratulate Randy Gallant, from Sherwood High, and Rick Hart, who as well is very, very happy to hear that the minister has brought this forward.

There are four key elements to this. The proposed legislation will require school staff to report serious student incidents such as bullying to the principal. It would require that principals contact the parents of victims. It will address the reporting gaps between the principals, teachers and parents about serious student incidents that would lead to suspension or expulsion.

I agree with this legislation and thank the minister for bringing it forward.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments? The member for Simcoe North.

Mr. Garfield Dunlop: I'm pleased to rise to make a few comments on second reading of Bill 157, as we do our leadoff speeches today. First of all, I want to thank the minister for bringing this bill forward. I know we are going to have a lot of debate on this bill, because some of the members on this side of the House feel there is a certain weakness to the bill. It may be the only one of its kind in Canada right now—I'm not sure about that; I

somehow don't believe that—however, I'm going to tell you that what I'm told is that the mandatory reporting doesn't go far enough.

My understanding is that the way it's worded now, it's mandatory for the teacher to report an incident to the principal, and that's where it can stop. A children's aid society, the police and parents are not really involved at that time. That is where I want to get clarification. I can tell you that we look forward to the committee hearings on this and we look forward to bringing in groups like the Ontario Principals' Council, the children's aid societies, the Toronto Police Association and the Police Association of Ontario. I think that all these folks should have a say in this, and I hope we can listen to their comments and that we can make the proper amendments to this legislation that would satisfy this side of the House. I look forward to the opportunity for the committee hearings.

I also look forward and thank my colleague from Burlington, the critic for education, who has done a lot of work on this bill and has brought to the attention of the House how important this type of legislation is. I hope we can listen to her comments and find out how to get this bill right, if we do have it finally passed.

The Deputy Speaker (Mr. Bruce Crozier): Response?

Hon. Kathleen O. Wynne: Thank you to all the members who have spoken. I just want to say a couple of things. First of all, to the member for Trinity–Spadina on the issue of training: Yes, that is what I talked about. Training will be provided. That is why we are putting money into the system to actually make sure that everybody understands what the expectations are.

On the issue of how we are engaging students, I said there is the parent engagement part, but there's also a student voice. What we're doing is engaging students in this conversation. There's a whole project for students that is parallel to the parent reaching out project. So there's actually money going into the system to help students engage in these kinds of activities.

I just want to speak to some of the comments by the members for Whitby–Oshawa and Simcoe North. I am prepared to recognize the advocacy of opposition members, but I need to be clear that the safe schools action team was already up and running and doing this work. We knew this was important work that had to be done.

The issue of the discretion of principals smacks to me of echoes of a previous government: simplistic solutions without nuance, without an understanding of how schools worked and without an understanding of how human relationships within schools worked, coming forward from this party suggesting that somehow the professionalism of principals was not enough to make sure they could make those decisions when there is a need to take into account the safety of students. So the issue of mandatory reporting to CAS or mandatory reporting to police is covered by other pieces of legislation. When it comes to principals reporting to the parents of victims—

Interjection.

The Deputy Speaker (Mr. Bruce Crozier): Member for Simcoe North.

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Hon. Kathleen O. Wynne: If what I'm hearing from the party opposite is that they don't have the faith in principals, and principals shouldn't have discretion, I'm prepared and I'm open to listening to everyone who comes forward, because we, unlike the party opposite, will be having hearings on this legislation.

Thank you, Mr. Speaker.

The Deputy Speaker (Mr. Bruce Crozier): Thank you.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): You know, there is a way to debate around here. We're each given the opportunity to speak, and we should try to respect those who have the floor.

I will now call for further debate.

Mrs. Joyce Savoline: I really appreciate the opportunity to address this long-awaited piece of legislation, for which I have been advocating for over a year. I will be supporting the bill.

Applause.

Mrs. Joyce Savoline: However, I feel there is an opportunity lost. Don't get so happy so fast.

The courageous victims supporting the need for mandatory reporting legislation are hoping and praying that this time, this government has finally gotten it right.

“As soon as she woke up in the morning, her heart filled with dread. ‘Will they leave me alone today? If I wear this shirt, will they go easy on me? Is this the day they finally kill me?’” These are not the exaggerations of a dramatic teenager. This was Lindsay Hyde's daily existence for far too long. Daily, she would summon up every ounce of courage just to walk through the front doors of her school. Around every corner lurked the possibility that her tormenters would be lying in wait and this time they would kill her. That was the constant stress in her life. How is anyone expected to continue day after day under this amount of stress, let alone a teenager who is dealing with all the usual struggles of growing up? The teachers knew, the principal knew, yet Lindsay was left perfectly alone, totally exposed and unsafe in one of our Ontario schools because nobody protected her.

As parents, we have to accept that we can't protect our children from everything, but we can and we should expect that our children are kept safe and sound within the confines of our education system.

What if Lindsay had not had the courage to go to the public? What would have happened to her if she hadn't summoned up every ounce of courage to go to the media with her story? When Lindsay's story finally broke in the Toronto Sun and was posted online, within 24 hours there were 150 comments, comments from many people who had experienced similar situations. I call it our dirty little secret, as it exists in schools across this province. The administrators and the ministry are unwilling to admit it and to address it.

Minister, I want to hear the voices of the children. I want you to hear the voices of the children who have suffered this kind of abuse on your watch, in your schools.

While they were suffering, I was trying to be their voice in the Legislature. My pleas were falling on deaf ears. I know that it is through my colleagues' and my unrelenting pursuit of this issue that we have the opportunity to discuss this bill today. After years of PC caucus members standing in this Legislature and demanding mandatory reporting for student-on-student violence, the McGuinty government is finally listening.

The strength and fortitude of the families who have fought for years to see justice for their children and the protection of all students in Ontario cannot be forgotten. We must also praise the bravery of the children who suffered violence and abuse at the hands of their fellow students and had the courage to share their heart-wrenching stories. Daniel Sebben contemplated suicide because no one could protect him at school. Lindsay Hyde was terrified for her life because she could not escape her tormentors. It's high time for Mr. McGuinty to show some leadership and protect our students.

Since my colleagues and I have highlighted the need for mandatory reporting, students are coming out of the woodwork with their stories of abuse with little or no action from the authorities in their schools. This is a dark part of our education system that needs to be addressed. Our caucus and the parents of the victims want to see mandatory reporting that includes the notification of parents, the police and the Ministry of Education so that they can track these incidents and take appropriate action. It's clear that the creation of a safety plan is not enough to keep our students safe from their abusers. The ministry needs to establish clear-cut rules for the creation and the enforcement of safety plans following a report of an incident of violent abuse. It isn't just the incidents themselves that need to be dealt with. Will this government take action in regard to the administrators who have systematically failed children like Daniel Sebben and Lindsay Hyde and the countless other children who can't be named because of their age?

Parents should not have to fight for three years to get the minister's attention to keep their children safe from perpetrators on the government's watch. As parents, we need to know that the government is doing everything in their power to protect our children while they are in their care. Mr. McGuinty has let these parents down and has put these children at risk.

What adds insult to injury is that when the violence or abuse is discovered, no one in the school system, at the ministry, will accept any accountability, and at-risk students are left to fend for themselves. We are not asking that every incident in the playground be reported. This is not about a schoolyard spat. What we are asking for is that every serious incident of violence and abuse be reported to the parents and to the proper authorities and that an action plan be put in place immediately, but that it is also enforced. This has not happened in some incidents, but it must happen for the sake of all our students.

Will Mr. McGuinty also put a plan in place to deal with the abuser? Children who also need support should not be written off at such tender ages. Nine years of age is too young to be tarred with a brush as a sexual deviant. These students deserve counselling and support systems in place to resolve and monitor their issues now, or we will continue to see these children in our system in one form or another for the rest of their lives.

It is time for this government to get proactive about the future of these youth. Our students deserve a safe, secure learning environment from which to grow and flourish. The Premier has promised us this time and time again. It is now the time to deliver on that promise.

The McGuinty government is quite proud of their safe schools policies and investments, but, as usual, these are not action words. I can't find the substance. If there were, students like Daniel Sebben—the York region board was unable to do anything to protect him from his harassers, even when the abuse was witnessed by teachers, meaning that once again it is the victim who has to make all the accommodations including, in Daniel's case, paying for private counselling sessions. This is in Daniel's own words: "There's something in place for the aggressor but absolutely nothing for us. Why do we have to put out the money [for counselling] to get help?"

Well, Daniel is going to be heartily disappointed with you, Minister, as Bill 157 has no intention of mandating help for the victim, nor is it about to protect the victim. Minister, I do not know how you are going to look these families in the eyes who were hoping to see real change and real policy here. What you have done, in the words of your ministry's office, is "codify the grey areas."

The member from Kitchener–Conestoga stood in the House and proudly recited the McGuinty government's investment in safe schools, and she said that we have amended "the Education Act to include bullying as an infraction for which there are consequences; putting more adults in schools by hiring 170 psychologists, social workers, youth workers and attendance counsellors to work with at-risk students; and training front-line staff, by providing bullying-prevention training to 25,000 teachers and almost 7,500 principals and vice-principals to ensure an effective response."

Is there a part of Bill 157, Minister, that requires one of these 170 psychologists, social workers, youth workers and attendance counsellors to meet with the victim and to meet with the aggressor? I don't think so. Including that would create a well-rounded policy, and we know better than to expect that from you. This is a hush bill, pure and simple. In fact, Minister, I am surprised that you did not celebrate these new human resources in this bill, as you did in the Legislature time and time again.

1430

In November, you said:

"There are two million students who go to school in this province every day in 5,000 publicly funded schools. There is more money in this system to provide caring adults—whether it's teachers, social workers or psychologists—with \$43 million this year alone to increase

those supports.... I understand that there are difficult situations that” students “go through. But what this government will not do is cut loose a student who is struggling—whether that student is a victim or whether that student is a perpetrator. It is our responsibility, as the adults in government, as the adults in charge, to make sure that every student in our system has a chance to be a functioning citizen. If we don't pay now, we pay later. We need those kids functioning now.”

Minister, Daniel Sebben had to pay for his therapy, as do countless children currently in therapy as a result of student-on-student violence and abuse in your schools. Where are these counsellors? This is yet another example of poor allocation of resources. If we are to believe that you have made these investments, then why can't you strategically direct them to where they're needed most? Clearly you indicate an understanding of the future repercussions of failing to address this situation at an early age. You must agree that there is a connection between bullying in elementary and secondary school, where no consequences are put in place, and later incidents of domestic and societal violence. In your own words, Minister, pay now or pay later.

Daniel contemplated suicide; it was that bad. His mother lobbied hard for him at every turn, to protect her son in a race to save his life. Minister, you have given his mother nothing. In fact, the York school board, where Daniel was a student, already has these policies in place.

In case it is reported that you have resolved miraculously this issue of mandatory reporting in Ontario, let me clarify for the record; let me share with you the existing policies in the York board, which are reflective of many board policies across Ontario.

Let me start with the role and mandate of York school board. The role and mandate of the board is set out in the Education Act, as amended from time to time, and in accompanying regulations. Specifically in regard to the provision of safe and secure schools, the school boards, principals, teachers and school staff are required to do the following:

“Comply with the requirements related to the duties of principals and teachers under the Education Act and regulations;

“Comply with the requirements legislated under the Child and Family Services Act (e.g., ‘duty to report’);

“Administer school-related disciplinary actions (e.g., suspensions and expulsions);

“Develop a code of conduct, as required under the Education Act...;

“Ensure that resources, (e.g. on drug awareness, on conflict resolution) are accessible to assist school staff in promoting crime prevention;

“Develop policies on how to respond to crises, including a media plan;

“Ensure that prevention and intervention strategies are available;

“Provide staff with opportunities for acquiring the skills necessary to promote safe school environments; and

“Develop an effective consultation mechanism for soliciting input from staff, students, parents and school councils in the development of local protocol.”

It already exists. We didn't need Bill 157 to make that happen.

Let me go on to another part of their policy, on occurrences requiring police notification. “The following serious and/or violent incidents must be reported forthwith to the police:

“possession or use of weapons;

“physical assaults causing significant bodily harm or requiring medical attention;

“sexual offences;

“robbery;

“criminal harassment;

“hate- and/or bias-motivated incidents;

“gang-related incidents;

“extortion;

“threats of serious physical injury;

“possession or trafficking of drugs;

“possession or threat to use an incendiary device;

“vandalism;

“deaths on school property.

“It is recognized that board employees have a duty to determine whether an offence may have been committed and what the nature of that offence might be, prior to notifying the police. However, a board employee should conduct no investigation beyond what is required to make that preliminary determination to involve police.” It's already happening; Bill 157 doesn't make it any stronger.

“School reporting procedures:

“Occurrences for which schools must contact the police”—must.

“When a principal or principal-designate has a reasonable basis to believe that a student or other person has committed one or more of the following serious and/or violent incidents as per section 6, the principal or principal-designate shall contact the York Regional Police ... forthwith.

“Reference should be made to section 13 of this protocol (Reporting of children suspected to be in need of protection).” Again, it's already happening.

I'll move on to “Occurrences for which schools may contact police:

“The principal or principal-designate may exercise his or her discretion regarding other occurrences and whether police contact is necessary. A school principal may contact the school liaison officer or the district youth coordinator on school-related matters. In the event a school liaison officer is not available, then a school principal may wish to consult with the appropriate school superintendent on whether a particular matter warrants police involvement or response.” Again, it's left up to the discretion of the principal. We know that; Bill 157 doesn't change anything there either.

“Reporting of children suspected to be in need of protection:

“Duty to report”—and it’s part of the Child and Family Services Act.

“Despite the provisions of any other act, any person, including a person who performs professional or official duties with respect to children, has reasonable grounds to suspect child protection concerns, the person shall forthwith report the suspicion and the information on which it is based to the York Region Children’s Aid Society. Proof is not required in order to report a concern to the CAS and/or the police that a child might have been abused or neglected.

“If a person has made a referral to the CAS and has further protection concerns regarding the same child, they are obligated to make a referral to the CAS each time they have new information.

“It is the duty of the person who has the suspicions to make the referral to the CAS and not to have another person make the referral for them.

“A person who performs professional duties or official duties with respect to children includes the following: a health care professional, physician, nurses, dentist, pharmacist, psychologist, teacher, principal, social worker, family counsellor, priest, rabbi, member of the clergy, operator or employee of a day nursery, youth or recreation worker, peace officer, coroner, solicitor, service provider and employee of a service provider.

“Professionals, as defined above, could be subject to a fine if they do not report protection concerns.” That’s the end of the school report. Again, what does Bill 157 have to do with any of that?

Minister, you are not reinventing the wheel, but you have tuned the parents of these victims out. Again, in November, you said, “It is absolutely the intention, and has been the record of this government, to confront the difficult issues of school safety that confront our schools in the province.

“When we came into office, we began immediately to revise the legislation that had been put in place by the previous government that did not deal fairly with students across the system, that actually created the situations where kids were out of school on limited expulsions without any support programs. That has stopped.

“Currently, my parliamentary assistant, the member for Guelph, is leading the safe schools action team. They are looking at what kinds of reporting gaps exist among the different legislation, and we will be addressing those gaps.”

Minister, the York board has these protocols in place and has had them for several years. Clearly, writing them down isn’t enough.

1440

What Bill 157 needed to do, and has failed to do, is create consequences for those who fail to follow these legislative requirements. If the schools are using expulsion and suspension as disciplinary tactics for students, what are the consequences for school administration, for school boards and for ministry staff that fail these vulnerable students? Bill 157 is an insult to teachers who have already been using these protocols, and they are in

place. What they need is support from the province in terms of direct reporting mechanisms and follow-up counselling. Where is that, Minister?

In October, Minister, you said the safe schools report “will be delivered this fall.... My parliamentary assistant, the member for Guelph, has been working with the safe schools action team. Remember, this is a safe schools action team that delivered the recommendations on changing the safe schools legislation that was so flawed, which was put in place by the members opposite when they were in government.

“I look forward to the report, which is going to be looking at gender violence, sexual assault, homophobia-issues that have not been tackled by governments in this province for a very long time. On top of that report, we’ve been investing in resources for schools. So \$43 million more has flowed to schools this year—to priority high schools, to hire more psychologists and social workers, the actual people who will keep our schools safe, the kinds of resources that schools need.”

Well, leave it to your government to continue to place the blame. The problem is, Minister, that while you are here today under the auspices of fixing our supposedly flawed legislation, you have actually fixed nothing. There are no consequences for failing to report. There are no counselling components for either the victims or the abusers in serious incidents of violence and abuse. There is no requirement to bring CAS into the conflict when the abuse is sexual in nature. There is no direction, time frame or uniformity on the implementation of a safety plan following a serious incident.

Minister, you have been in government for almost six years. These legislative flaws fall on your shoulders. In November, Minister, in answer to a question from my colleague from Whitby, you clearly state that “all students in our schools need to have support they require so that they can succeed. Whether that student is a victim of an incident or whether that student is a perpetrator, we have to keep all of those kids very close to us.” In your meeting with the parents of these victims—who were not kept close; in fact, they could not be kept further from you—you did not take action to correct the school boards and your staff that followed some of these situations, and they continue to go unchecked. Here you stand, Minister, to tell these parents yet again that they will have to make do with more weak policies and no accountability.

In my briefing this morning on Bill 157, I was repeatedly referred to Bill 212 and that piece of legislation as a wonderful base from which Bill 157 simply “touches up.”

“(1) A principal shall consider whether to suspend a pupil if he or she believes that the pupil has engaged in any of the following activities while at school, at a school-related activity or in other circumstances where engaging in the activity will have an impact on the school climate:

“1. Uttering a threat to inflict serious bodily harm on another person.

“2. Possessing alcohol or illegal drugs.

“3. Being under the influence of alcohol.

“4. Swearing at a teacher or at another person in a position of authority.

“5. Committing an act of vandalism that causes extensive damage to school property at the pupil's school or to property located on the premises of the pupil's school.

“6. Bullying.

“7. Any other activity that is an activity for which a principal may suspend a pupil under a policy of the board.”

The notice of suspension for all of this: “A principal who suspends a pupil under section 306 shall,

“(a) inform the pupil's teacher of the suspension; and

“(b) make all reasonable efforts to inform the pupil's parent or guardian of the suspension within 24 hours of the suspension being imposed.”

So once again may I point out to the minister that we have the framework in place for mandatory reporting. What we need are consequences for failure to report.

Before the PC government brought in mandatory reporting for suspected child abuse, far too many cases were unreported. When there are legal consequences for failure to report, human nature being what it is, people seem to follow through more consistently.

Again in November and in response to the member from Whitby, you said, “The most important thing we can do is to make sure that our schools have the resources that they need to prevent violent incidents from happening in the first place. The most important thing we can do, when an incident takes place, is to make sure that the young people involved get the supports they need to get them back on track, and that is what we have been doing on this side of the House. We have been putting resources into the system to ensure that every child, every student in our system, gets the supports that they need—not just some of the students....”

What you have been doing on that side of the House, Minister, is paying lip service to this issue and ignoring the reality that these students are experiencing every single day. Since I raised this issue in the Legislature, parents have contacted me to tell me their stories and to express their concerns for the direction of our education system. Not one of these families who are suffering the long-term psychological effects of student-on-student violence was offered the supports that you so proudly refer to in your answers. Not one of these families was offered the resources that you purport to have invested so much money in. Not one of these families felt like part of the solution. In fact, they were treated like pariahs in their children's schools for trying to secure some measure of safety for their children.

In September, Minister, you stated: “You know, one of the really distinct differences between that party's approach and this government's approach is that we actually talk to people who do the work in the system that we're trying to fix. What we are doing right now is having a very intelligent, in-depth conversation with the sector about how to keep our kids safe. What are the

reporting requirements? Where are the gaps? Where are the things that we need to do to keep our kids safe? We have put millions of dollars into more human resources, into cameras for schools. We have changed the legislation to make it more rational. We've been on this since we were elected. What we know is that we need to have that conversation about reporting—that is what my parliamentary assistant is doing—with the experts and with the people in the field who understand education.”

So, here you are saying that you have met with people who understand the issue, and yet you still haven't gotten it right. How can that be?

If you want to be completely truthful, Minister, one of the families I have been working with was not allowed to speak with the safe schools committee and to participate in that process—a family that has undergone this kind of victimization and abuse and lack of protection. They were told that their case was “too severe to be considered.” What is that about? I find it ironic that their case was too severe to be considered, and yet no consequences have been implemented for the school administrator who so woefully dropped the ball on this poor child and on his abuser. It reinforces my belief that you hear what you want to hear. Unfortunately, that is short-sighted, and it will not protect the students who are in the situations now.

The C.W. Jefferys incident took so long to see the light of day that the statute of limitations expired. Is that your plan, Minister? To run out the clock so that you and your ministry can avoid that kind of accountability?

In response to my colleague from Newmarket—Aurora regarding the C.W. Jefferys case, you said, Minister:

“Just to be clear, as I have been as this question has been asked over the last few days, our interest on this side of the House is to make sure that every child in the publicly funded education system receives the oversight and the service that they need. There are police/school board protocols in place that require reporting in particular incidents. We're looking at those protocols. We're also looking at the various pieces of legislation that have reporting mechanisms in them to make sure that we have the correct mechanisms in place.

“I'm sure that the member opposite is aware of a letter that has come from the Ontario Principals' Council that says, ‘Be very cautious about changes that you make to reporting mechanisms because, as we know, principals in our schools need to have discretion in dealing with the children in the system.’”

1450

Minister, you managed to pass the buck to the police and school boards while warning us that the Ontario Principals' Council was not supportive of legislating their accountability on this issue. The truth is that the Ontario Principals' Council doesn't want to see a few bad apples ruin the bunch and is supportive of mandatory reporting for serious incidents of violence and abuse.

It's shockingly hard to find a clear-cut definition from the minister on bullying, but we persevered and unearthed one from the 2006 ministry guide on the subject of bullying that says:

“Is it bullying if force hasn’t been used?”

“Bullying can take many forms. It can be:

“Physical—hitting, shoving, stealing, or damaging property;

“Verbal—name-calling, mocking, or making sexist, racist or homophobic comments;

“Social—excluding others from a group or spreading gossip or rumours about them;

“Electronic (commonly known as cyberbullying)—spreading rumours and hurtful comments through the use of e-mail, cellphones, and text messaging.”

This wasn’t easy to find, and it’s clear, if you look at the rest of that document, that it’s focused more on hurt feelings than actual criminal abuse.

If this document is an indication of how the government views incidents requiring mandatory reporting, then it’s clear that you just don’t get it. Is bullying an offence that carries with it a suspension or expulsion? If not, then it fails and it falls through the cracks of Bill 157. All the schoolyard bullies can breathe a collective sigh of relief as their punishment continues to be subjective.

Once again, in response to the C.W. Jefferys issue, the minister stated, “It is the responsibility of the Minister of Education to make policies that are reasonable and rational and that address the issues across the system. The fact is that the reason the safe schools action team is looking at the reporting mechanisms across the province in all pieces of legislation is so that I, as the minister, can make recommendations about changes to legislation if that’s necessary so that those gaps can be closed.

“To the contrary of what the member opposite said, I have taken action in the most reasonable method possible.”

While I am pleased to hear that the minister understands where the responsibility lies here, it is cold comfort when you compare that responsibility to the brevity of Bill 157. I take issue, Minister, with your impression that you have acted in the most reasonable method possible. That may be true if you’re talking strictly in terms of your political career, but definitely not when you consider the breadth of your powers and the limited way in which you employed them to safeguard the students who were in your care.

In fact, when I asked this morning in the briefing about the consequences for failing to report, I was told that the Ontario College of Teachers was responsible for disciplining their own. So I researched their policies, and here they are:

“Discipline committee members hear and determine matters related to alleged professional misconduct or incompetence against members of the college. The parties to a hearing are the college and the member who is the subject of the complaint.

“It is the responsibility of the discipline committee to determine if the teacher is guilty of professional misconduct or incompetence and, if so, to determine and impose a penalty. These may include:

“—revoking a member’s certificate;

“—suspending a certificate for up to 24 months;

“—imposing specific terms, limitations or conditions on a certificate;

“—reprimanding, admonishing or counselling the teacher;

“—fining the member up to \$5,000;

“—publishing the findings in a manner considered appropriate;

“—fixing costs to be paid by the member;

“—requiring the successful completion of a course of study; and/or

“—fixing a period during which the member is ineligible for reinstatement or variation of the committee’s order.

“Discipline hearings are generally open to the public. The committee panel may direct that the public be excluded from a hearing under certain circumstances.”

Under “Incompetence”, it reads, “The discipline committee may, after a hearing, find a member to be incompetent if, in its opinion, the member has displayed in his or her professional responsibilities a lack of knowledge, skill or judgment or disregard for the welfare of a child of a nature or extent that demonstrates that the member is unfit to continue to carry out his or her professional responsibilities or that a certificate held by the member under this act should be made subject to terms, conditions or limitations.

“Powers of discipline committee

“(4) Where the discipline committee finds a member guilty of professional misconduct or to be incompetent, it may make an order doing one or more of the following:

“1. Directing the registrar to revoke any certificate held by the member under this act.

“2. Directing the registrar to suspend any certificate held by the member under this act for a stated period, not exceeding 24 months.

“3. Directing the registrar to impose specified terms, conditions or limitations on any certificate held by the member under this act.

“4. Directing that the imposition of a penalty be postponed for a specified period and not be imposed if specified terms are met within that period.”

There are other parts to that, but you know what, Minister? It looks like the Ontario College of Teachers has covered all of its bases. Shall I tell you, Minister, how many school administrators have been held accountable on the double-digit files that I have been working on? The answer is zero—zero accountability, zero discipline—and that is what the parents were hoping was going to change with this much lauded Bill 157. They were hoping for some accountability. Somewhere down the line, and true to form, they received nothing. Mr. McGuinty is on record in this House as wanting to see changes made, and here we are debating a few commas and semicolons.

The Premier said, “If there’s one thing that I think we are legitimately entitled to expect of our publicly funded school system, it’s that our children will, at a minimum, be safe there. Notwithstanding quality-of-education issues and challenges associated with learning, at a mini-

mum, we expect that our children will be safe in the schoolyard and within the school building itself. That's a legitimate expectation. I fully endorse the sentiment expressed by my colleague. As I say, I will ask the minister to look into these facts and report." Well, I say to the Premier, she has reported and it isn't much to speak about. It certainly will not go far towards keeping our kids safe in schools.

Minister, again in 2007 you responded to the member from Newmarket–Aurora by saying, "I know that the Toronto board is looking at the circumstances in the school. The important thing is that if the allegations are true, and I have no way of knowing specifically whether they are or not, then there are school climate issues that need to be addressed and there obviously needs to be, in every school in our province, an opportunity for teachers to talk about issues so that they can solve problems at the local level." Minister, I want you to know, if the allegations are true—no, scratch that; I demand that you find out if the allegations are true. The allegations of violence or abuse are occurring on your watch and in your schools.

I do not accept that you can sit back and wash your hands of these scenarios. I am fully aware that you cannot stick your nose into every allegation, not into every schoolyard spat—that isn't what we're talking about here. However, when these issues are serious, I expect that you know about them. By your responses in the House, it is unfortunate that you have not been made aware of some of these issues.

The issue I raised in the Legislature was in the Toronto Sun, and I know that your big issues binder is chock full of every article, particularly from Toronto, that deals with education. These articles are accompanied by a ministry brief on the issue, detailing for you, quite clearly, the where, the when, the what and the why of the incident, and what your suggested response should be. For you to say that you were not aware of one of the most egregious cases of student-on-student sexual abuse that I have ever heard of is difficult to understand. In fact, this case is seared into my memory. I would find it hard to believe that any mother or grandmother could forget it, let alone someone charged with oversight in that particular ministry.

Minister, you responded to our call for action by saying, "We are responding to a complex problem with a complex response. The system is looking at what is going on in their schools. That is their responsibility, and we're providing the resources for them to do that." Anyone who reads Bill 157 would be hard pressed to call it complex, let alone responsible. Let me brief you on this complex bill.

1500

This bill would require teachers to report actions by students that could justify a suspension or expulsion to the principal as soon as is reasonably possible. However, if the teacher or the board employee knows that a report has already been made to the principal and has no reason to believe that reporting that incident to the principal

would provide useful additional information, then they are not required to report it at all.

Reporting by the principal to parents of the nature of the activity and the nature of the harm to the pupil will be made mandatory, with the exception of students over 18 years old, or those 16 to 17 years old who have withdrawn from parental control. Reporting is also not required if, in the opinion of the principal, doing so is not in the pupil's best interests, regardless of age.

The bill would require board employees to intervene according to the policies or guidelines to be established by the minister under subsection 301(5.4) of the Education Act if they observe a pupil behaving in a way that would have a negative impact on the school climate. The bill grants the minister the power to establish policies and guidelines with respect to delegation of powers by principals and vice-principals, as well as for board employees and non-board employees who witness a suspension- or expulsion-worthy activity, and which kinds of intervention are appropriate.

The bill will come into force—get this—one year from now. What happens to the kids in the meantime?

This pretty much sums up your complex Bill 157. So let's be clear: This bill was introduced to fill the holes uncovered by the safe schools action team report, not the issues identified by our caucus and the families of the victims over the last year. Those issues will still be out there long after Bill 157 passes.

We want to see abusive incidents that take place at school reported unequivocally to the parents of the victim and to the police. If an incident would warrant a call to the police off school property, why wouldn't it warrant a call to the police when it's on school property?

This bill does not change which supports are required to be offered to offenders and victims of some of these serious incidents. In fact, there's hardly any mention of supports at all in the bill, despite a year of telling us in the Legislature about all the supports that exist.

Over the past couple of years, we've seen serious incidents go unreported to police. Little or no professional support was offered to victims, and in some cases the victim has been transferred out of the school while the offender carried on at the school, in their classroom and unaffected. Without making board and ministry policy mandatory under legislation, this will continue to happen: The victims will continue to be victimized and the abusers will get off scot-free.

The bill could be amended to require principals—and in the absence of a principal, the vice principal—to report serious student-on-student offences to the police, and to include the reprimands for not doing so. The bill could be amended to specify what minimum supports have to be provided to students involved in serious incidents and that, if deemed necessary, the offending student should be the one transferred to a different school, along with what supports should be provided. Those are just a few of the possible amendments that the minister could make to put some teeth into this bill.

Our party raised the issue of mandatory reporting last summer with regard to a number of very serious incidents

taking place in public schools in which the principal was aware of the incidents but seemed to deliberately neglect to contact the police. This bill would bring in mandatory reporting of incidents by teachers to principals—already the procedure, by the way—but it does not require the principal to phone the police. The government is deliberately using the language “mandatory reporting” to mislead the press and the public into thinking that they have resolved the issues our party has raised.

Also, this bill would amend the Education Act to explicitly say that the principal is not required to even notify the parents of a victimized pupil if, in the opinion of the principal, doing so is not in the pupil’s best interest, regardless of age. What this means is that the case of the young Muslim pupil who was sexually assaulted by a gang of five boys at C.W. Jeffreys, that was uncovered as a result of the Falconer report, would not have been impacted by the passing of this bill. The principal and vice-principals would still have been able to claim to have acted in the pupil’s best interests by not reporting this incident.

I am certain that in the committee part of the process, the minister will have a tough time looking into the faces of these parents who have been struggling with this issue for years. No doubt, we will see the PA more than we will see the minister. However, I know that Lindsay Hyde and others will come forward to describe to you why this bill just does not meet the mark.

Jean said:

“What really bothers me is the lack of attention the school paid to her problem. As well, what was the bus driver on her school bus doing, obviously nothing?”

“How could so many students just sit back and watch this girl being assaulted? I can only guess the bullies run the school and most of the students as well.

“Here we are with another loophole—is the school bus considered school property for the sake of this legislation?”

“Does the province wash their hands of our students’ safety once they get on the bus?”

Dave S. said:

“The only reason this story is in the news is because Lindsay went public with it in the hopes of ending the torment.

“The media may have latched on to it for any number of reasons, but it initially came to light because she spoke out.

“Lindsay’s bravery made it possible for so many victims of bullying to reach out and tell their story.

“It is unfortunate that she had to go that route but it was out of sheer desperation, and Bill 157 would not have made one bit of difference to her experience.”

Kelly said:

“No respect for themselves, let alone others. No respect for authority. Spitting is one of the most disrespectful and disgusting things anyone can do to another person.

“The bully got caught and Lindsay called the police and charges were laid. Finally! The school continued to

ignore the pleas for help from a young woman just trying to get an education.

“The school is crying foul now because their name is being spread across the papers as an uncaring place to go for an education of any sort.

“The bully was suspended many times and is a ring-leader and an attention seeker.

“Bill 157 makes no provision for repeat offenders—the system has no recourse to deal with them.

“Persistent bullies need therapy, they need the resources of our schools and province to help them turn their life around now.

“As I said before, we can pay to support them and turn them around now or we can pay for them to be a part of the system in one form or another for the rest of their life.”

Finally, Andrew makes a very good point:

“No remorse, again no help for the victim, she will just be shuffled around till she (the ‘problem’ for the board of ed) is quiet.

“Thanks a lot to this reporter and this story, more kids will use violence to get in the news (makes great/fast street credibility).

“Time for government of Ontario to get off their rear ends and fix the problem, not toss it to area boards to try and fix!”

Well, Andrew, I doubt that this government is going to fix the problem, but I’m glad you posted this statement.

Too often, our comments on this side of the House are viewed as strictly partisan and can be easily ignored by the government members in that context. Andrew is a voter, Minister, a taxpayer and a concerned citizen who has seen through the charade played here by the government, and he understands where the buck stops. I wanted to get the voices of Ontarians on the record so that the minister cannot so easily dismiss the points I am making here as partisan nonsense.

On March 4, a six-year-old grade 1 student was assaulted in a washroom of a York region Catholic school by two 13-year-old students. Although the principal was made aware of the assault, she did not report it to the parents. The parents found out about it later from the boy’s sister, who attends the same school. The six-year-old had been beaten with a belt. When the parents confronted the principal and asked if she would contact the police, the principal said that she had no intention of reporting the matter. The parents called the police, who charged the two 13-year-old boys with assault and assault with a weapon.

On June 11, 2008, Newmarket–Aurora MPP Frank Klees brought the issue to the Premier’s attention in the Legislature after his attempts to have the issue dealt with to the satisfaction of the parents were rebuffed at the school board level. Mr. Klees was contacted by the parents when they realized that no one at the local level was taking up their cause and they were concerned that their son’s assault was not being taken seriously by the school board. The Child and Family Services Act of Ontario states that child abuse at the hands of a parent or

a person in authority must be reported to police or the CAS, but there is no legal requirement to report abuse or violence at the hands of another student. This is a serious flaw in the legislation.

1510

On December 11, 2008, the safe schools action team released a report on gender-based violence, homophobia, sexual harassment and inappropriate sexual behaviour in schools. The report recommends mandatory reporting for teachers and staff of serious incidents like assaults to school principals.

Recommendations of the team report: “The school staff must continue to respond to a child who is or may be in need of protection, as required by the Child and Family Services Act.

“Principals must report serious incidents that occur in school or at school-related activities to police as outlined in policy/program memorandum 120 and in the Provincial Model for a Local Police/School Board Protocol.... The details of reporting serious incidents involving children under 12 are found in policy/program memorandum 120.

“All school staff must report to the principal:

“—Any incident that should be considered for suspension; and

“Any incident that the principal is required to report to the police, including those for which expulsion must be considered.”

Second lastly:

“Schools must inform the parents of victims as well as the parents of the aggressors/perpetrators about serious student-on-student incidents involving their child or children. This is particularly important for the parents of students with special education needs.

“Schools must provide parents of victims with information regarding discipline/management of the aggressors/perpetrators, when asked, and with information about the steps being taken to protect the victim from future victimization.

“If a school must separate students after an alleged incident, it is preferable that the alleged aggressor/perpetrator rather than the alleged victim be moved. Supports must be provided to the student who is required to change schools.

“The Ministry of Education should request that the Ontario College of Teachers amend the Standards of Practice for the Teaching Profession to include fostering and maintaining a safe and caring school environment.”

These are the recommendations of the team. These are parts of the report that have turned into a bill with no teeth and no meaningful way to address the issues. They got it; the bill doesn't. We need to clearly define for our school administrators what our expectations are and what the consequences are for failing to effectively deal with cases of student-on-student violence and abuse.

Let me list for the minister the details of your most flagrant oversights.

First, the former principal and two former vice-principals of C.W. Jefferys Collegiate were charged with

failing to report an alleged sexual assault of one of their students by six youths in a school washroom in the fall of 2006. Allegations had been made at the time that school administrators knew of the attack and had even transferred the girl to another school, but did not tell the police or children's aid. Six months later, in December 2007, police laid failure-to-report charges. The incident only came to light during an internal investigation into the school at the death of Jordan Manners on the school property last May. The former administrators were all placed on paid leave. The Child and Family Services Act only says evidence or suspicion of abuse must be reported “forthwith.” Punishment for not doing so is \$1,000. The charges against the school administrators were dismissed because of the delay from the time of the alleged incident to having the charges sworn. What an insult. What a travesty.

The crown, however, appealed the case. Justice of the Peace Gabriel John said the charges against these people, Charis Newton-Thompson, the former principal at the Toronto school, and former vice-principals Stan Gordon and Silvio Tallevi, were sworn last December, well after the six-month time limit in the Provincial Offences Act. Attorney General Chris Bentley said at the time the crown believed the “charges were laid within the necessary time.” Minister Bentley also said, “It is the crown's position the alleged offences are ‘continuing offences’—meaning if found guilty, the trio could each face a \$1,000 fine for every day the ... assault went unreported.”

So really there's no justice in this case, Minister, and while it shows that these flagrant abuses are not the only ones out there, Bill 157 will not prevent another case like this from occurring. That's what we were all looking for. That's what the families were hoping for. What will prevent these abuses is if the minister accepts the amendments that I will be making to Bill 157, to give it teeth that it needs to make a difference.

We will be asking for identified consequences for school administrators who fail to follow proper reporting procedures. We will be asking for counselling resources to be allocated immediately to both the victim and the abuser within an acceptable time limit. We will be asking for a mandated safety plan that is victim-focused, not perpetrator-focused, and that is enforced. We will be asking that in cases of student-on-student sexual abuse or violence the children's aid be notified immediately and an appropriate investigation commences. We will be asking that the minister define “bullying” for the purposes of this legislation. These are just some of the issues that need to be codified if Bill 157 is going to do anything truly to make a difference in the way student-on-student violence and abuse is handled all over the province of Ontario.

To the families who continue to push for stronger legislation, I can say that we are not finished yet. Don't be disappointed yet. The minister still has time to make real, substantive changes to this bill.

Thank you for allowing me to speak on behalf of those whose voices have been silenced. I will continue to speak

for these people in this House until we can offer meaningful policy that will offer justice for all of our children. Policy is just that: It's just policy unless it has a heart and it can be implemented in a way that can help people. So let's get away from symbolism that has no substance. Let's do something real here. Let's make a difference for the case of children who are being abused by other children within our schools.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Rosario Marchese: I want to congratulate the member from Burlington for her thorough critique of Bill 157 and for having played a role in bringing about this particular bill. I was about to summarize the three points that I thought she and her party were getting at, and then she talked about recommendations she will make. There is probably a lot more than what I was about to say.

The three things that I saw the Conservative Party pushing are: There's not enough support for the victim; that all incidents should be reported, because some are not going to be; and, third, that there aren't enough strong consequences for the perpetrators. I'm summarizing it more or less briefly, and you can correct me if I missed something. The problem I have with your presentation of the issue, including the government's bill, is that it doesn't deal with the real issues that cause students to misbehave, that cause students to cause violence against other students. Neither your presentation nor the government speaks to how we prevent these things from happening in the first place. That's the problem. I don't think that if you have tougher consequences you are going to solve the issue of safety. I don't believe that for a moment.

I think the safe school report introduced by Mike Harris in early 1998 simply didn't work. My critique of the government is that they have nothing in this bill that speaks to what causes students to be either bullies or to perpetrate violence other than just simply mandatorily reporting an incident. This is where I think the failure of the Conservative Party's analysis is and the failure of this bill by the Liberals. I will speak to that in about eight minutes.

1520

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Liz Sandals: I'm pleased to respond to the opposition critic. I think we need to begin by looking at what is already in place. In fact, the member has extensively read into the record what is already in place. What is already in place is a school board police protocol, which is very explicit about when police should be called. It includes threats of bodily harm and incidents of assault, and it really doesn't matter whether those incidents arise from bullying or some other argument. If there's an assault, there's an assault, and you should call the police. That's quite clear already in both the policy that describes violent incidents and in the school board police protocol. All boards have local protocols

compliant with the provincial protocol. We checked every single one of them.

Secondly, the Child and Family Services Act is very clear about when principals or other school staff need to notify children's aid. It's in there. We don't need to rewrite the law. There's already a law that says when they should be called.

What we have done, as a government, is put bullying on the list of offences for which you must consider suspension or some other discipline. In fact, the Tories did not include it. They thought swearing at a teacher was good for an automatic suspension, but they didn't think bullying was worth worrying about. It's us who said you need to worry about bullying; you need to work on preventing it, and when it happens, you need to do something about it.

The places where the gaps are, are when teachers don't tell the principal what's going on, and that's in this legislation; when principals don't tell the parents of the victim what's going on, and that's in this legislation, and when you need to intervene—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

Mr. Peter Shurman: The first thing I want to say is that I don't think you can find a critic in any portfolio on this side of the House who is better prepared or better equipped to comment on legislation we're considering in this House, and I congratulate her on what she had to say. She's a great colleague, and I have to note that she is, at least in part, responsible for the fact that we are discussing this legislation today.

Now, the instinct on the other side may be to immediately knock her down. I hope not, because the fact is, what we on this side want to do, and what my colleague is trying to portray here, is a wish to support this legislation. But we want to support a bill that mandates reporting of violence or abuse—physical and/or mental—we want consequences and we want those enshrined in the bill. We want to see a duty of care, and we want reporting to be absolute and never optional. That's all we're saying.

I don't think we're that far apart. I think what we're talking about is toughening things up. We want our children to know, as do government members, that they can come forward without any fear of repercussion, and we want parents to know that they can send their children to school every day with a degree of confidence that they are going to come home feeling good about the day they have spent.

We also want there to be an action-reaction part of this bill, so that everything carries consequences. School personnel must be able to undertake certain protocols—in fact, they must undertake those protocols—if conditions present themselves. This is not some notional idea. This is what we want to see in the legislation, because it does confirm to all who have any care, or are charged with the care of, children that every action carries an equal and opposite reaction.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Mike Colle: I just want to say that it is important that all of us have input on this issue. Listening to the member from Burlington and everyone, I think those are valuable insights. I may not agree with her insights, but at least she's contributing.

I would say the key thing here is that in dealing with such a difficult issue as school violence, it be done in a comprehensive way, and that's what the minister has done. I know that the member from Guelph—they have taken time to form the safe schools task force. They've gone across the province to get input from people. I know it's not a silver bullet approach or a magic bullet approach; it's one that takes a lot of grinding.

I know the member from Guelph especially has had countless meetings and listened to hundreds and hundreds of people, has talked to people face to face across this province, and she also has incredible expertise in this area. She has been on the front lines as a former trustee, chairman of trustees of Ontario. Our minister has also been on the front lines. They have both been volunteers in their local schools. They were supportive of their local neighbourhood schools. They were also involved in contributing to better schools through their work as trustees, and now we're fortunate enough to have them in this House to give us their expertise on how to deal with these daunting issues dealing with schools and violence in schools.

I think we should put that into perspective, and I think that's why Bill 157 is a very systematic approach to dealing with this issue that hasn't just popped up today. It has root causes that are not only in Ontario, but if you look across North America, if you look across the world, there is the same issue of violence in the schools, because violence in schools is a reflection of what's out there in society.

The Deputy Speaker (Mr. Bruce Crozier): The member for Burlington, you have two minutes to respond.

Mrs. Joyce Savoline: I would like to thank the member from Trinity–Spadina, the member from Guelph, the member from Thornhill and the member from Eglinton–Lawrence.

The issue is very close to my heart. My daughter, when she was barely a teenager, went through some bullying. It was of a much more minor nature than what we hear about in the House today, and I know the helplessness that I felt as a parent when it fell on deaf ears at the school. I had to work with other parents to resolve the issue. How old is she? She's 35 now. That is a lot of years ago. What I'm upset about is that this continues. I was hoping to see in Bill 157 something that would begin to resolve this and give the authorities at the schools some confidence that they had some legislation to lean back on.

Money and resources are only a part of what is necessary here. What we need here is a real understanding that we can't take our eye off the ball. We're talking about kids, how they feel in the schools and how they're able to learn when they're there. We've had

graphic experiences described to us over the last year. These are real experiences, they're not hypothetical, and these are the experiences that should be heard by the team that's working on recommendations, by the folks at the ministry who are trying to put the legislation together. That's how we're going to make a difference, by hearing these real stories and understanding them.

This isn't a nuisance to us. This is what's happening out there on the ground. I don't want to deal with this at a 50,000-foot level by some policy-makers; I want to deal with it with the folks who are at ground zero dealing with the issue. And that's where we should be.

I am hoping that through the committee process and by listening to the folks who are brave enough to come to talk to us, we will be able to make meaningful changes to this bill.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Rosario Marchese: It is a pleasure once again to speak to this particular bill, Bill 157, because it's called An Act to amend the Education Act, a bill that claims to keep our children, the students of this province, safe in our schools. In my critique, I'm going to show, I hope, that it doesn't really do that very much and/or very well, in spite of the claim.

We will be supporting this bill because it's better than nothing. By way of what it attempts to do, it's hardly revolutionary. In a typical Liberal fashion, it corrects something that was in place but now codifies it. Contrary to what the member from Guelph says when she says, "We have reporting mechanisms in place right now"—if we did, obviously you wouldn't be introducing a bill. So clearly, something wasn't working, and that's why you introduced a bill, to correct some elements of whether or not something is reported or reported badly, because you felt the need to fix something. So something wasn't entirely working.

1530

But we're going to support it because it's a small little bill. I'm not sure how many of us should be speaking on this bill, but I know that the Conservatives obviously want to speak this out. God bless; that's fine. But I don't think there's much in this bill that merits much discussion.

What I want to talk about in the next little while is what is not in the bill. I hope to be constructive—critical, but constructive—of the minister, the bill and the government, as best I possibly can.

Of course we need to protect our students. They must be able to attend school without fear. The goal of our schools is to provide places of learning and growth; we all agree with that. Environments that nurture creativity and critical thinking, to teach skills and knowledge that equip these young people for future possibilities—that's a given; this is what we want. The question, of course, is how we do this.

The problem is that what the government does not do is look at what causes students to misbehave in the first place. I believe that mandatory reporting doesn't deal with the issues that I feel need to be addressed.

The member from Guelph says that there's a problem when teachers do not report. I don't know whether she actually believes that or not. The minister did say the other day that teachers, by and large—maybe I'm paraphrasing her words—do report. The problem is not with a teacher not reporting; it's probably with the principal, and there are many different reasons why that may not be happening.

One of the things that we haven't looked at is, why is it that principals may not be reporting some incidents? Well, no school wants to be known as the one with problems. Generally, that's why some principals may not want to report some incidents. No school wants to be pinned with the stigma of overwhelming discipline problems, for one reason or another. Principals are afraid to acknowledge these incidents, because if they do, they become the target for those parents who say, "Good God, why would we want to send our kids there?" There is one incentive as to why principals may not want to report these incidents.

Principals are also under considerable pressure to reduce the number of suspensions so that the government will be perceived as doing something about school violence. That's another reason why some principals under-report incidents: because it is in line with what the government wants the schools to do, and that is to say, "We're solving the issues of suspensions and"—what's the other term?

Mr. Mike Colle: Expulsions.

Mr. Rosario Marchese:—"suspensions and expulsions." That's what the government wants to do. So principals have a sense of what it is they should be doing to be in line with the current government, in the same way that teachers and principals were in line with the previous government, the Mike Harris regime.

Good God, Mike is coming back in some form or another. This should bring the fear of God into a whole lot of people, and it will. Some Tories who are here and are new, like the member from Thornhill, don't know—or maybe he does—that Mike Harris, the former Premier, brought in the Safe Schools Act. It was a zero-tolerance bill that said, "As soon as kids misbehave, we're just going to kick them out, suspend them and expel them as fast as we can." That, my friend, was consequences.

I understand the personal incident that the member from Burlington brought to this Legislature; I don't minimize that for one moment. But when she speaks about consequences for the perpetrators—Mike Harris was good. He was really good. And what he was bad at was, "How do we help students?" He was good at expelling them, so he was tough on the perpetrators. Those are the consequences that the member from Thornhill and the member from Burlington speak about. But never once, in the years that Mike was here, and all the other fellow Tory travellers, did they talk about, "Why is it that young people do that, and what is it that we, as educators, schools and governments could do to help these kids out?" Never a mention of that.

Many years after Mike Harris—God bless him that he's gone—the Tories still revive that old stuff, as if

they've learned nothing from that experience in terms of what it is that we could and should be doing. That's my critique of the Conservative presentation today. It was rather long and it was a fairly good critique; I just disagree with most of it.

Interjection: That's surprising.

Mr. Rosario Marchese: Because the problem isn't consequences; the problem is, what should we do?

Of course, why should the Tories be surprised about my critique of you? But I enjoy doing it, and I had so much fun when Mike Harris was here. Good God, I miss him. I'm looking forward to the member from Niagara West-Glanbrook coming forward as the new leader because he's the spitting image of Mike Harris. It should be fun, God forbid, should he get into office.

But I have to tell you, it's the wrong approach. No student and no criminal says, "I'm going to get a \$5,000 fine for this. I'd better stop." It's not the way it works. No criminal says, "Good God, am I going to get three years or four years in jail if I do this?" We don't do that.

The Tories actually believe that if you attach a consequence of six months, a year, \$1,000, \$5,000 or \$10,000, all of a sudden citizens are going to say, "That's it, I'm cleaned up. I'm going to behave from now on and forever." It's so wrong. It's not only simplistic; it's ideologically wrong. It never worked, and it doesn't work. So I have a problem with the presentation made by the Tories.

But I also have a problem with the Liberal introduction of this bill, because it simply says that we're now going to have mandatory reporting by teachers and principals. Okay. So now they're going to do that, and what is it going to do? What is it going to do to deal with the multiple problems that kids face in the school system and in the home? The answer is zero, absolutely zero. There is no discussion in this bill about why it is that kids do what they do.

Some of you may know—and some Tories know if they were in committee—that fetal alcohol spectrum disorder is a serious problem. It affects about 200,000 to 300,000 adults and young people. What many of you don't know—that is, members of provincial Parliament and the general public—is that when these kids suffer from this disorder, i.e., parents drink a lot while they're pregnant, it's going to produce this problem called fetal alcohol spectrum disorder, which does the following: Those children have absolutely no clue why it is that they do what they do. So if a child has this disorder and misbehaves in school, the majority of people will say, "We should punish that student. That student should not be able to do what they did and not get punished." The problem is that that child doesn't have a clue why they're doing what they're doing.

The problem is that most teachers don't know about the disorder. They don't know how to perceive it, how to discern it, how to understand it, and they don't know the symptoms. As far as teachers are concerned, these kids are just not listening to the instructions. So this is the kind of young man or woman who can easily be expelled

or suspended, and that young man or woman will come back into the school doing the same thing over and over again because we haven't worked with that child. We haven't worked with the doctors, who sometimes themselves don't know about the disorder. So unless we get teachers, doctors, everyone in the community and parents to work together to understand what the problem is all about, these problems will continue forever. There's not one mention by the government about what they are going to do to deal with this problem.

1540

There is no talk about poverty and how poverty causes educational, social problems in the classroom. Oh, I understand that some members of the Liberal Party connect poverty to misbehaviour, but there's no talk about what to do and how you deal with it in the classroom when issues of poverty come into the school—and we're not dealing with it. Some boards put a lot of money into trying to provide breakfast programs for poor kids, and the government puts in about 15% of these dollars to support some nutrition programs in some of our school boards, but most of our kids come to school hungry, especially when they're poor. If they're poor, they're not learning. If they're not learning and if they're not eating, they're probably misbehaving. You can punish them all you want, but poverty will come back into that classroom. So you can have consequences, you can fine them, you can do what you want, but unless it deals with issues of poverty, the problem comes back.

Neither the Tories nor the government talk about mental illness—and I noticed that both the minister and the parliamentary assistant mentioned mental illness today, after I made my response to the ministerial statement the other day. They mention it in passing, but they don't talk about what it is, by way of supports, that we are providing in the school system to support our students, to support our teachers and to support the principal—no talk of it whatsoever. The problem is that a lot of young men and women who have a mental illness of sorts sometimes look as if they're just fine. Teachers don't know how to perceive a mental problem. Teachers don't know how to deal with a mental problem. There's no talk about what we can do to help that poor teacher deal with that issue—none.

That's the problem I have with the government's presentation of this bill: It doesn't speak to why students do what they do. They might understand it, and they might think that mandatory reporting will solve it, but it doesn't solve it.

What about issues of poverty and public housing? Does anybody reflect on what it means to be in public housing that hasn't been repaired for 30 or 40 years, when you live in substandard housing, and how that makes you feel? It doesn't make you feel good. When you've been in poor, substandard housing for 30 or 40 years, you're going to promote, you're going to engender, the kinds of negative feelings that a lot of young kids bring to the school system that are going to cause problems, yes, of bullying, and yes, of possible violence.

There's no mention of what the government is doing by way of how to prevent a problem or violence from happening in the first place.

I talked about fetal alcohol spectrum disorder, about poverty issues, mental illness, housing and how it is that poor kids in public housing bring social problems into the school, and I add to that sexual abuse. How many young men and women are sexually abused by someone close to them in their family? They come to the school system carrying this particular problem for a long time. It carries problems. These young men and women are likely to lash out at someone, either someone else or even themselves or someone close to them. But there's no talk at all about what we can do to help kids who are sexually abused.

There's also the problem of substance abuse: drug and alcohol abuse. When a young man or woman lives in an environment where mom or dad, or both, are drinking or are on drugs, or both, it's going to bring a great deal of social problems into the school system. What are we doing, as a school system, to deal with that? We're doing very little. How do consequences for these kids help that poor child? There is no systemic policy that deals with these problems.

The member from Eglinton–Lawrence talks about—I wrote it down—the need to bring in a systemic approach. This bill doesn't do that. There's nothing systemic about what this bill does, other than just simply reporting: having the mandate to report, obliged to report. That's all it does. There's nothing systemic about how you deal with the root causes of violence, nothing at all. The member from Eglinton–Lawrence mentioned that we need to deal with it in a comprehensive way, but the bill doesn't do that. It fails in every possible way in terms of what we could and should be doing to help our students. So the members talk about what they think the bill does, but it doesn't do anything of the sort.

There are the additional problems of the inadequacy of child care. How many parents are working and are putting their children in substandard care—not in subsidized care services, where you've got trained child care workers, but in some substandard place in some home where there is no training, where there may be problems in these homes where these young kids are being looked after? We don't speak about the inadequacy of child care. This government was supposed to spend \$300 million of their own money in child care, and has not spent one dime. They constantly attack any government that's there, whoever they are, saying, "They should be supporting us." But they said, "We're going to spend \$300 million of our own dollars on child care," and not one cent has been spent.

We have the problems of parents who are working at two or three jobs. If they're single, they're probably working at two jobs, sometimes three. Some people, moms and dads, are probably working two or three jobs and they don't get home on time. There's no talk about how we support those kids where the parents I'm describing need to be able to work, and work overtime, and they can't look after the kids; there's no talk of this.

There is no talk about the unemployed and those who are chronically unemployed and underemployed and are likely to be unemployed for a year, a year and a half. Some of these people don't want to go on welfare, and even if they do, it's inadequate to live on. There's no talk about what the social and psychological consequences are for these parents and what it does to that family and to those kids. This is what we should be talking about. Unless we deal with these issues, this bill is, quite frankly, useless.

I know it codifies what's already in practice, but please, a whole bill? I mean, there's even the possibility that the Tories may want to have, I don't know, weeks of hearings on this, but please: This is a bill where we should have the main, lead speakers speak to the issue, just be done with it and move it on, and then talk about how we help those poor kids who have social and psychological and mental problems, so as to prevent not just bullying, but violence in the school system. That's where I think we should be going and that's where I think this government is failing us. They make reference to something that I've said here and there, now and then, but other than that, there's very little.

I want to tell you—and this is also dear to my heart, because the Falconer report was presented a year and some months ago. I don't know if you noticed, but neither the minister nor the parliamentary assistant ever mentioned Falconer. Have you noticed?

Interjection.

Mr. Rosario Marchese: Me too. I've never heard a Liberal or the parliamentary assistant or the minister say, "The Falconer report: Hmm. Whatever happened to that?" And by the way, didn't we pay for that report?

Mrs. Liz Sandals: No, it's a board report.

Mr. Rosario Marchese: We didn't pay for that report. The board paid for it. The board that has deficits every year paid for it, not the government. We wouldn't want to confuse anybody. "It's the board that did it, not us"—meaning the Liberals—"therefore, if we don't mention Falconer, it's okay, because the board commissioned it." And where does the money come from to fund the boards? It comes straight from the province, because the boards don't have any power to raise money any longer. So if the boards are not given the money by the provincial government, they are in trouble. But not once have I heard one Liberal say, "Falconer report." It's as if it's a dirty word to mention. It's as if by mentioning it, somehow we're implicated negatively by it.

I want, for your pleasure, Mr. Speaker, to mention some of the recommendations that the Falconer report made, because I think they're instructive; specific recommendations from Falconer. Here are just a few specific ones which, in my view, if acted upon would have considerably more impact on the safety of our students than this bill, which has absolutely no impact on the safety of our kids—absolutely none.

1550

Numero uno recommendation: The board should establish school-based teams made up of social workers,

child/youth workers and teachers to help family caregivers navigate and access the mental health services their children and youth require, and these teams should make use of a variety of treatment techniques and work across disciplines. That's what I was talking about earlier on, in terms of what we should be doing. But Falconer was very specific—and I don't know whether I'm being helpful to the Liberals, but I've got a copy here in case some of you want it. I'm sure the parliamentary assistant can get a copy presto if she needs to, to help the rest out.

Interjection.

Mr. Rosario Marchese: The Falconer report? Sorry if you missed that.

Interjection.

Mr. Rosario Marchese: No, I think you should pass it around to the other members because I think they want to know what he said, right?

Number two: The board should provide wraparound programming in schools where there is a significant population of students who are in jeopardy of falling outside of the education system. "Wraparound" means basically that you provide supports in the morning, when parents have to work, and in the afternoon, when parents are still working. That's what they mean by "wraparound services."

The panel finds that selected schools in marginalized communities should be designated as community hubs. Now, remember, even the minister speaks of community hubs, but only every now and then, and you really don't know whether she really feels it or not. Falconer says that some schools that are marginalized should be designated as community hubs. Community-hub schools will become the focus of the neighbourhoods that they serve; local community organizations and groups will be encouraged to become part of the school community in order to facilitate a closer connection between the school, students, parents and the community. This is a good recommendation. So I would have thought—understand, the boards are broke. They're in a deficit situation. In fact, Toronto board has a \$43-million deficit, and they were just laying off some educational assistants and other staff. By the way, the Toronto board is not unique in terms of facing deficits. Most other boards across the province have been facing deficits since Mike Harris, and under the Liberals as well.

Madame la ministre, I was saying that the panel finds that selected schools in marginalized communities should be designated as community hubs—and I know you like the idea. But why haven't you picked up that idea and said, "We're going to do that"? That's what puzzles me. You know that I like you, and I think you do a good job. That is not the point. But I really do believe that you, under normal circumstances, would be taking these recommendations and implementing them, and I'm puzzled as to why you are not doing it. That's why I raised them, because I want you—

Interjection.

Mr. Rosario Marchese: Well, when you do, let me know because Falconer is waiting.

The board should restore the community outreach worker position. The minister would know that because she was a trustee at the time when they used to have these outreach workers. The panel recommends that the community outreach worker gather, coordinate and act as a clearing house concerning information about current programs and services provided by the existing community partners and schools. It's another good recommendation.

Another recommendation from Falconer: In order to facilitate in the building of community hubs, the board should review the level of caretaking staff at each school to determine if there is sufficient staff to maintain the school such that the school can serve as a welcoming and positive environment for the community. It's a good suggestion; they're all good suggestions.

The Ministry of Education—this is where they name you, Minister—should increase the benchmark costs for all components of the funding formula—the foundations grant, the special purpose grant and the pupil accommodation grant—so as to close the gap between funding provided and actual costs of operations.

This reminds me of what the Liberals wanted to do a long time ago, and that was to make sure that we set up a standing committee that would deal with the funding of our school system and give it the transparency that we all wanted, that we would have this on an annual basis so that we could all, both opposition parties and the government, see where the money is going. That was a promise made by the Liberals in 2003. I'm still waiting for that.

"The panel recommends that the Ministry of Education, in consultation with school boards and other members of the education community, should develop mechanisms for annually reviewing and updating benchmarks in the funding formula and for conducting a more comprehensive overall review of the funding formula every five years."

I got ahead of myself. So Falconer agrees with me, and I agree with him. I'm sure that when Kathleen, the minister, was on this side of the House, she would have been ranting and raving like some of us. I'm sure if Gerard Kennedy were back here in opposition, he would be ranting and raving, should the Tories be in that position right now. Alas, they're in power, so who knows? God bless.

"The Ministry of Education should increase the funding of the demographic component of the LOG"—that's the learning opportunities grant—to the level stipulated by the 1997 expert panel that studied the creation of the learning opportunities grant," which was \$400 million, adjusted to reflect inflation.

"The Ministry of Education should 'sweater' the demographic component of the learning opportunities grant so that the funds received by the board are used solely for providing programs to mitigate socio-economic factors affecting marginalized students. The new demographic component should include a built-in accountability process mandating that school boards report

annually on the programs and services funded by the grant and on their effectiveness."

I like that recommendation. If Kathleen Wynne, the minister, were here with me, we'd be saying the same thing, and if mon ami Gerard Kennedy was here in opposition, he'd be saying the same thing, and I would be agreeing with them. Now that they're in government, I just have to take on their role and push them to do that.

You understand that a lot of money goes to boards—this is true—and the government, both Tories and Liberals, say, "Well, they're getting a whole lot of money for this and this, this and that, and if they don't spend it, it's not my problem." The problem is that a lot of this money is not sweated, so that any monies that go to the system can be used for any purposes, and they are. The money is usually used to cover holes in the education system at the local level.

So you have money that is presumed to go for ESL that's not used for ESL. It means that in some schools in the north end of this city, 40% or 50% of the kids come from other countries where English and French may not be their first language and where they don't have a Roman alphabet, and they don't have any ESL at all—no ESL. Some 40% or 50% of these kids in some of these schools get no ESL support, but if you ask the minister, she'll say, "Oh, no, we've given the Toronto board loads of money for ESL," or she'll say, "In general, we've given \$200 million"—whatever figure you want to throw out of that. The point is, that money is just used for whatever purpose boards need to be able to cover and patch up holes.

The money is not sweated. You've got a lot of money that comes from the federal government and provincial government for French programs, but it's stolen from the French programs and given to other programs. Why do boards do that? Because the dollars are not sweated. Why? Because governments do not require them to. Why do governments not require boards to make sure they account for every dollar that's going for the stated purpose? Because governments can have the luxury of saying, "They get the money. What they do with it is not our problem. Go and attack the boards."

Speaker, you understand the kind of politics I'm talking about. I'm of the view, of late, that money should be sweated—that's the term they use—so that we know exactly where it's going. If we say that \$400 million is going somewhere, it's not going to be touched by anyone for any purpose other than that for which it was intended. That's the point.

Special ed is another problemo of this sort. Special education is a real problem for me. The Conservatives used to have a program called ISA, the intensive support amount. Based on that program, \$953 million was being spent. That program initially was fought by the system—in particular by teachers and even by some of the opposition members at the time. Eventually the Liberals under Mr. Kennedy said, "Oh my God, we're over-identifying; we're overspending. Some of these kids are being over-identified, for which boards are getting money they are not spending on those poor kids."

It was a beautiful excuse by the government to find a way to take that money out of special ed and provide it for anything else they wanted to promise, such as the promise of full-time JK or full-time SK that's about to come. So \$953 million was stolen from the intensive support amount—taken away from there—and given on a per pupil basis to every school board irrespective of need.

In my view—in my estimation—half of that money is going to special ed and the other half is going to provide for every promise the Liberals have been making and are going to make. They've stolen special education money from kids who desperately need it, and it's going who knows where? I know you will deny it, of course.

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Hon. Kathleen O. Wynne: But there's more money in that.

Mr. Rosario Marchese: You keep saying there's more money. You keep saying there's more money for everything, and yet there are more kids requiring special-education support than ever before, more kids who are waiting in line for an IPRC—the identification, placement and review committee—more kids waiting. We don't have a clue; nobody is tabulating that anymore. When he was in opposition, Kennedy wanted the government to make sure we kept track. Do you think the Liberals are keeping track of how many kids are waiting?

Do you know—do we know—how many kids are desperately seeking to be identified and are not? Do we know how many kids are never going to be identified, who are struggling from one year for the next because they are in the regular classroom without any support as we fire educational assistants here and there? We don't have a clue. All we hear from the government is that things are really rosy and getting better; they're spending so much more and everything is really cool. I say I don't think so. Besides, there are no facts to prove that at all.

So I'm worried about special education. I'm worried about the fact that special education is increasing as a concern in our school system. I also think it's chemicals that are altering our physiology and affecting more and more of our kids, and I blame those corporations you are so close to—100,000 of these chemicals, here and there, wherever they are. I think they're changing and altering our physiology in ways we cannot comprehend, and I believe they're causing more and more special-education problems than ever. We're not dealing with that. But that's a separate matter.

Falconer continues, “The Ministry of Education should reconstitute the local priorities amount as 5% of the basic amount of school boards' pupil foundation grant (updated as per above noted recommendation), and that boards apply the local priorities amount to locally established priorities, programs, and services aimed at the continuous improvement of student learning and achievement with particular focus paid to at-risk schools.”

Another recommendation is that the board “should hire 20 new full-time social workers.” If Kathleen was in opposition, or if she was a trustee of the Toronto board, she would be demanding this, of course, but she's the

minister. And if we hear the minister, she'll say, “Oh, no. We've hired more of these people than ever before, but they haven't acted on this report.” And the reason the Toronto board can't act on this is because they have no money; they're broke. And the reason why the government is not acting on this? I don't know. I really don't.

“The 20 new full-time social workers should be dedicated to high-priority schools determined by the board based on criteria that includes drop-out rates, high absenteeism, suspension/expulsion data, LOI ranking”—that is the learning opportunity index—“and number of safety incident reports.”

Another bullet: “The panel recommends that the 20 new full-time social workers dedicated to high-priority schools should not be assigned to more than two schools each.”

The board “should hire 20 additional child and youth counsellors.” If the minister were here in opposition and if she was a trustee, she would be demanding this, because she was there as a trustee when we actually had youth counsellors, and now they're gone.

“The 20 youth counsellors should be dedicated to high-priority schools determined by the board based on criteria that includes drop-out rates, high absenteeism, suspension/expulsion data, LOI ranking and number of safety incident reports.

“The panel recommends that the 20 additional youth counsellors dedicated to high-priority schools should not be assigned to more than two schools each.”

The panel recommends that the board “should hire 24 additional attendance counsellors to meet the needs created by the mandatory learning to 18 provisions of Bill 52.”

These are the things that Falconer recommended. None of these things have happened and none of these things are likely to ever happen. The minister and the parliamentary assistant have never talked about those recommendations and have never said once what they are going to do to help to implement those recommendations. It was a huge report. The hearings lasted for quite some time. It talked about the fear of reporting, the lack of reporting; it talked about sexual harassment, sexual abuse of young females in particular. And we've done absolutely so very little. I don't get it.

The Falconer report talked about the idea of—another recommendation, which I'm desperately trying to find. Here it is. “The Toronto District School Board's community safety advisory panel recommended the creation of a provincial school safety and equity officer to be the central repository for the reporting of serious issues of school safety. We have not had the minister respond to that recommendation made by Julian Falconer and the advisory panel.”

So, you see, there are many, many recommendations that have been made that would help to make our schools safer, that would help to protect our students, that would help to deal with prevention, along with all of the issues I identified that bring about problems in our school system, and we have done very little to deal with them. Unless

we do these things, mandatory reporting will not solve anything. It will make a few people feel good; it will make the minister feel good that we've done it—under pressure from the Tories, I understand. But other than that, what does it do? And even the Tories are saying it's not good enough, although I disagree with their approach to the issue. But this bill does absolutely nothing.

It now adds an obligation on the teachers, on the staff, to intervene where it's safe—I don't know how they determine that—on matters of racism or racist remarks in the classroom and/or any other incident that could be very unsafe for students and the teacher. The minister says it was done by the teachers, where they actually intervened, but now she's going to make it obligatory, mandatory. I say to myself, "If it's now required, there's going to be a legal obligation on these teachers to actually intervene." There is a requirement to intervene. It's no longer a teacher assessing the situation and saying, "What do we have here? How do we deal with it?" The teacher is now obligated to intervene where it's safe, assuming the teacher is going to learn and be provided the information to understand when it is safe to intervene and when it is not safe.

1610

I am telling you that the obligations we put on teachers grow year after year. Teachers are no longer required just to teach; they're required to do everything else, and with this report they're now obligated and required to intervene on a matter between students where it deals with issues of race, racism and/or any other kind of inappropriate behaviour exhibited by students. Look at the kind of load that we put on teachers. And we expect them to do it; in fact, we demand that they do it. What an unfair thing we do to teachers, where teaching is not enough; where we expect and demand that they be policemen and policewomen, psychologists or social workers, mothers and fathers, that they become mediators—in fact, even more than mediators: that they intervene in problems that can be very threatening, not just to students but to students and the teacher. Look at the obligation we put on teachers and the poor principal.

How are the poor principal and the teacher going to deal with the issue of what a reportable incident is? It's to be defined. I look forward to the parliamentary assistant and the minister defining this particular issue, but it's not going to be easy. For the most part, most of the incidents are easy to deal with. Yes, they're complex, but a whole lot of these issues fall between the cracks in terms of what an incident is: serious, grave, or not so serious. How do you define that? We'll see. It appears that the government has a sense of where they're going to go with this. I wait and see what the government's going to do.

There are a whole lot of issues that need to be dealt with, for which this bill is not suited to solve those questions that I have raised. The Falconer recommendations are good, but there are many other things that government could be dealing with.

The bill contains statements like this: "If the minister has established policies or guidelines," and, "The min-

ister may establish policies and guidelines." What is that about? What is the language, "If the minister has established policies and guidelines," and, "The minister may establish policies and guidelines"? What happened to the word "must": "The minister must establish policy and guidelines"? It hasn't done so since 1994. Clarifying the role of everyone involved in reporting and documenting—and what such reporting and documenting is to include: reports on the OSR, the Ontario student record, and the violent incident reports.

The legislation is based on the faulty assumption that the old directives and policies are fine, and clearly that's not the case. What is needed—and the member from Eglinton–Lawrence used this word—is a comprehensive review of all policies, procedures and guidelines regarding reporting. We need that, but it's not part of the bill. The bill says, "If the minister has established policies or guidelines," and, "The minister may establish policies or guidelines," but it's not there. Maybe it should be. What do you think about that, parliamentary assistant, minister? Maybe you should put the word "must," because these guidelines and policies have not been reviewed comprehensively since 1994. If the old policies and procedures were adequate, we wouldn't have the situation in our schools that we have now.

It is the view of many teachers that it is due to the failure to clearly define the roles, and failure to keep documentation which would allow the province-wide tracking of violent incidents, including those deemed to be less serious—that we should be dealing with. And so, this bill seems to have been advanced largely to address a few instances where principals failed to follow existing board policies on this issue.

Is this really needed at all, for a couple of incidents? I'm saying that if it makes you feel better and you want to bring in a bill to deal with that, let's do it. But we've been saying for years that we need to restore and increase the number of social workers, child and youth care workers and support workers in schools. We believed it then and we believe it today.

And we believe strongly that the recommendations made by Falconer should be implemented. They can only be implemented by the government that holds the purse strings, not the board of education, the Toronto board that is broke. They cannot do this on their own. If they do this, it means taking money from some other pot to implement these recommendations. That's why we don't see the board in a hurry to implement it. That's why they don't talk about it, and that's why this government doesn't talk about it. Because they are useful recommendations; they're good recommendations; it was done painstakingly, after much consultation with many teachers and parents and students and principals; and we have overlooked and we have denied him the right that he deserves for to us listen to him and for us to implement those recommendations. We have done him a disservice and we continue to do him a disservice by disregarding his recommendations in his report.

There was a time when the minister said, "We have done 80% of his recommendations," and that is clearly

not true. Those recommendations have never been implemented—none of them. Mr. Falconer has expressed his frustration and his displeasure on a number of occasions here and outside of this place, because he did that report with an idea and with a feeling that somehow what he did would come to fruition, and nothing has come to fruition. I feel bad for him, but more importantly, I feel bad for the students that we're failing. And I feel bad for the teachers who are not getting the support that they desperately need, for those poor teachers who are saying, "I'm not a social worker. I'm not a psychologist. I'm not a policeman or policewoman. I'm not a mediator, necessarily; I'm not hired to be a mediator. I'm taught to teach, and you are forcing me, obligating me to acquire multiple kinds of skills that in many cases I do not have." We do not train our teachers adequately to be able to be all those things. That's what the Falconer report tried to do: support the teachers.

So we're going to support this bill. There isn't really much more that one can say. There's really no more that I do want to say. Mandatory reporting? Okay, but it doesn't solve the underlying problems that we have in our society, the problems of safety. The safety that we seek is so intrinsically linked to broader social issues and access to services that Falconer links to and speaks about and that I have made reference to in my long hour of debate. All I can hope is that the government at some point will listen, that parents will put pressure on the government to implement the Falconer report, that the government will actually invest in our school system, invest in our children, support our schoolchildren and our teachers to do a much more effective job than we at present are capable of and are not supported in doing.

With that, Speaker, I thank you.

1620

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Sophia Aggelonitis: I've been here for over a year now, and I have to tell you that I thoroughly enjoy listening to the member from Trinity–Spadina. He has brought some very important points here today.

Firstly, I do want to say that I appreciate his acknowledgment that the Mike Harris government's zero tolerance didn't work.

He also recognized that this is a complicated issue with many factors to look at, and that's what we are doing.

He also talked a little bit about the reporting. I want to mention that the safe schools action team, in fact, did review policies and procedures around reporting, and that is why we're here today with this legislation in the House.

The member from Trinity–Spadina also spoke about poverty and how poverty relates to this legislation. I just want to remind him that it was this government that introduced the first-ever long-term poverty reduction strategy. In fact, it was on December 4, 2008, that *Breaking the Cycle: Ontario's Poverty Reduction Strategy* was introduced. The strategy will represent an

additional annual investment of over \$1.4 billion at full implementation.

If Bill 157 is passed, Ontario would be the first province in Canada with legislation of this kind. Like the minister said today, this is an ongoing journey, and it is a step closer to making our schools safer. The introduction of this bill is yet another example of our government's leadership in education.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Lisa MacLeod: I appreciate the opportunity to join the debate today on mandatory reporting.

As you know, Bill 130, a bill I introduced last year, in November, will be up for debate on April 23. In that, it calls for a series of provisions to enhance child protection measures in this province. One of the recommendations stemmed from the work that my colleague Joyce Savoline, the MPP for Burlington, had done with respect to certain abuses on school grounds. I included mandatory reporting because of the hard work she had done.

This bill is a disservice to the work that Joyce Savoline has done. It doesn't go far enough. Our concern is that the Liberals, in their rush to quiet us down on this side, don't do the work and the research and the proper drafting to move forward.

Several times in this chamber, Mrs. Savoline has brought forward the concerns of parents in this province. On many of those occasions, Mrs. Savoline actually had parents here, some of whom were also teachers, talking about their concerns for their children on school grounds. While drafting the Children's Safety and Protection Rights Act, 2008—Bill 130, as it's known—I found that she was so compelling that I included it as one of the nine measures in my bill. I'm hoping that bill will receive support from all three parties and that the Liberals won't be whipped to vote it down because it's not their own. I am pleased, however, that on a few occasions they have seemed to move on some of the initiatives.

Let's get back to the issue at hand, and that is mandatory reporting. Mrs. Savoline has encouraged the minister to move forward and to move faster. Unfortunately, that isn't the case, but I still applaud Mrs. Savoline's efforts for bringing this to our attention.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Pat Hoy: I am pleased to make a few comments following the remarks by the member from Trinity–Spadina. I was heartened to hear that his party is in general support of the legislation. We look forward to more conversation about the bill itself and how, perhaps, it could be enhanced.

It is indeed a complicated issue. Our society has evolved greatly from the time when many of us were either in elementary school or high school.

I can recall back in our community when there was a horrendous case of physical abuse. It was absolutely horrendous, and a teacher at that time reported it to the authorities of the day. From that time onward, teachers were compelled to report cases where they suspected

physical abuse. The penalty for that particular case was very severe in the end to the perpetrator. So that was physical abuse.

Now we're talking about some other issues, such as bullying, which could include physical abuse, but there are other forms—violence, vandalism, sexual assault, drug trafficking. So now we are enshrining another set of rules, shall we say—situations where reporting by all school staff to principals of those incidents which I mentioned for which a suspension or an expulsion must be considered.

Many of these things seem to have come through what we call the new society. It's my understanding in talking to teachers that many of these bullying cases are carried out not only in person, but also on the Internet. I know of persons who have changed schools, and the bullies have changed schools to follow them along. So I certainly welcome this legislation to protect our children in our schools.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Liz Sandals: I'm pleased to respond to the remarks of the member from Trinity–Spadina. I'm really very, very pleased that he has recognized that this is a complex situation and you can't simply have a knee-jerk reaction that says "thou shalt" and that's the end of it.

One of the issues that has been brought up is with respect to principals being required to intervene, or at least to notify the parents of a victim. We know that's what normally happens, but while that is what happens in the vast majority of the cases, that the principal gives the parents of the victim a call, we know that there have been some very serious cases where the principal didn't let the parent of the victim know what was happening—with very serious consequences—and that's why it's in the legislation that we need to correct that.

But we do also recognize that this is complicated and that we need to make sure that the principal has some legitimate discretion. Let me give you an example. I spoke earlier in my remarks about the case of students who were suffering from homophobia in the school. Well, I think you can imagine the case where a student is the subject of homophobic bullying and does share this with a trusted teacher, who shares it with the principal—as they should—and the teacher and the principal are working to get supports in place, working under this new legislation to intervene. But should they call the parent if the student were to say, "Please don't tell my parents, because if they think that I'm a gay or lesbian student, they may kick me out of my own home"? We've heard from students that that happened—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. The member for Trinity–Spadina, you have two minutes to respond.

Mr. Rosario Marchese: What I want to say to the members from Guelph and Chatham–Kent–Essex is that they both say that this is a complicated issue, and they're happy that I recognize it, as if somehow I didn't recognize it, as if somehow they recognized it and I didn't and they're glad that I did, so that we all recognize—

Interjections.

Mr. Rosario Marchese: All right. But what I want from them is a response that says, "Marchese, you're right. Poverty is an issue." As the member from Hamilton Mountain said, we're dealing with that, but it's only a little part.

Giving a few more dollars for children is good, but then there's the issue of mental illness and housing, sexual abuse, substance abuse and the fact that parents are working at two or three jobs, and we're not helping those poor kids who may be the victims of that particular circumstance. The people are losing their jobs, and if they lose their jobs they get into mental illness and they want to hurt themselves, and their kids are in trouble. That's what I wanted them to respond to.

Of course I recognize it's a very difficult problem. But it's not so complicated. What's complicated is actually doing; it's actually acting. That's why I was critical of the government. I wanted the members criticizing me to say, "You're right. That's what we should be doing more of." We all recognize it's complicated. Okay. I made a whole list of things that I said you should be dealing with, and none of you commented about those matters that we've got to deal with in order to prevent abuse in our school system.

1630

To the member from Hamilton Mountain, you mentioned the safe schools action team, but I've got to tell you, there are 78 recommendations there, and I think this is the only recommendation that you implemented from that report. Where are the others? Why aren't we implementing the others? This is the only one—mandatory reporting—it seems. What happened to the other 77 recommendations? So it's that and it's the other issues that we've got to deal with, because mandatory reporting doesn't solve the other issues that I spoke about. Thank you.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Mike Colle: Just to finish off from the member for Trinity–Spadina, Mr. Marchese, you are right: Poverty is obviously part of all of these issues, especially when you're talking about behaviour that is violent or abusive in nature. The schools are usually where it's manifested, but you can certainly find there are deep-rooted, tragic causes that manifest that violence in our schools.

Having been in a classroom for 18 years myself, I have a little bit of a sense of what goes on. I was fortunate enough to actually teach in some excellent schools in Etobicoke and Toronto—Michael Power high school and St. Michael's College School—where I was fortunate that the children came from very strong family backgrounds. The parents were very, very motivated and the students were very motivated. But it wasn't too difficult, just talking to my fellow teachers or in visiting fellow schools, to see the reality of violence and abuse and the need to deal with it.

I have a brother who teaches at Archbishop Romero high school at Rogers Road and Weston Road, and he

was telling me the other day that 10 of his former students had been shot dead. That's the reality of violence. I know some people talked about bullying etc., but you can just imagine, if you are a teacher and 10 of your students that you saw come in at grade 9, bright-eyed, very interested young students—and I notice the pages here. You can imagine: 10 of his students shot dead. That's the almost overwhelming reality of what we face in our schools.

What usually happens is that the reports—Julian Falconer's report went to the school to find out what was happening at the school. But I would say that what happens at the schools is a manifestation of what's happening in our communities, in our homes, in our neighbourhoods. The schools are always called upon for solutions, and the solutions are sometimes not to be found in the schools. The root causes are to be found sometimes in the challenges that students face. Some of them have ADD. Some of them, as the member from Trinity–Spadina said, have all kinds of learning disabilities, and that learning disability manifests itself in very aggressive behaviour trying to cope with a school setting. But every time, we ask our schools, our teachers, our supervisors and our principals to solve the problem of violence and how it manifests itself in our schools.

So this bill before us is an attempt to deal with the reporting of this aggressive behaviour, this bullying that happens in our schools. We're dealing with one small aspect of it. Even the small aspect of bullying and the reporting of it requires legislation. You can imagine how many pieces of legislation we would require to deal with this incredible challenge of violence in our schools and in society in general.

I would say that there are a number of interesting scenarios that have developed over the years. I can remember visiting one high school where the teachers were talking about the kids outside the schoolyard. You saw them—there were about 10 or 20 or 30 teenagers all outside the schoolyard. They were saying, "Well, those are the students who were expelled, so they've now formed a gang outside the school."

Under the Safe Schools Act, passed back in the 1990s, they expelled everybody. That was an attempt to try to solve the problem of violent behaviour. The students were easily expelled and suspended. It did not solve the problem, because those young people who were expelled and suspended, who were outside in the schoolyard, were basically being recruited by gang members to involve themselves in more violent behaviour. So the total expulsion program that was instituted back in the 1990s did not solve the problem of violence, because leaving those students out in the schoolyard—easy pickings for the gang leaders—meant those students would probably never come back to the classroom, because there were no programs, no supports. There was no connection between the school expulsion and the parents at home. In many cases, the parents never even knew that the children were expelled. All of a sudden, you had more gang members as a result of expelling those children.

That's why I really commend the member from Guelph, who has spent many months travelling the province talking, listening—doing a lot of listening—to parents, to students, to educators, to principals, about what we can do to ensure that when students are expelled—what to do about reporting violent behaviour, and asking for their input. She has been involved in a comprehensive, long-term investigation of the response to this issue. Her input has given the minister the impetus to put together Bill 157. This bill didn't come out of the minister's boardroom. It came out of the excellent work the member from Guelph has been doing for months. It's an attempt to try to deal with this problem of reporting and whether it should be compulsory or not. The recommendations here are sensible ones. They're based on professional input, they're based on parent input, and I think it is a reasonable approach to this issue.

We know for sure that there is no bill that's going to forever solve and cure the issue of bullying or reporting of violence. It's not going to happen in our lifetime. And it's not something that's unique to Ontario or Toronto or unique to Canada. This issue of bullying and school violence, it's sad to say, permeates classrooms all over the world. But at least we're attempting to try to deal with these issues in a sensible, reasonable and civil way, and Bill 157 does do that. I know there will be the critics who say that it doesn't go far enough, that it goes too far etc., and they have the right to have that kind of commentary. But I think we should make note of the fact that this is a very valid attempt to deal with the thorny issue of reporting cases of bullying and violence.

The member from Trinity–Spadina was talking about root causes etc. I know one program that works very well, that started out of Regent Park, is the Pathways program. The Pathways program deals with youth at risk. These are young boys and girls in their teenage years who are having trouble coping at school. They're having trouble with violence in school. They're having, sometimes, trouble with a home life which is not an ideal home life. There's a group of wonderful people from across Canada and across Ontario who have formed this Pathways program. It deals, in a one-on-one situation, with these youth at risk, trying to ensure that these youth at risk get the mentoring, the support, the after-school homework help to keep them in school, because in the old system of Mike Harris, the students would be instantly expelled, again, forcing them out on the street, and they would end up who knows where.

With programs like Pathways—and there are many other programs like this—what it does is get the student in touch with mentors of their own background, local community leaders, professionals, with guidance counsellors, so that student is allowed to reintegrate into school.

1640

We're talking about some of the root causes of this violent behaviour. I have a couple of programs like Pathways in my riding, one in Sir Sanford Fleming—it's an excellent school—where students, as a result of that

intervention, are now doing better in school, their marks are improving, and they are integrated fully into the school system. But it came with a lot of hard work by dedicated volunteers, mentors. It's a very comprehensive program.

You can imagine the cost of these programs right across the province. These interventions are critically important. It's certainly a lot better than losing young people by their dropping out of school and getting into a lifestyle that would not be conducive to being good citizens. There are strategies in place to help students avoid that kind of deviant pathway where they get into gangs etc. You have to have those preventive investments, along with dealing with the reporting of violence at the same time.

Also, if you take a look at the schools that we have all across Ontario—and again, as I say, if I look at the guidance teachers, if I look at the parent volunteers, the parents who coach, the parents who are involved with drama, the parents who are involved with sports, this is all part of reinforcing the school as a community and linking the school with the community, because, as I said at the beginning, too much of the emphasis we have is always on saying, “Where did the school fail?” I've said before, “Well, where were the parents? Where was the community? Where were the brother and sister? Where were the supporting members of the community before the incident happened in our school?” Invariably, it's easy to blame a school and label a school and say, “Well, that principal, those teachers, that's where the problem is.” The problem didn't start at the school and it won't end at the school, but we've come to demand that our schools solve all of society's problems. We rarely look at what we can do as legislators, what we can do as business people, what we can do as community leaders to ensure that it's not only the school that's on the hook for solving these problems. All of us have to work in a meaningful way to help deal with these issues of violence, the issues of bullying and the issues of discrimination and behaviour that's very out of keeping with what Canada is all about.

This takes incredible resources, it takes incredible expertise and it takes incredible commitment by everybody. But I know one thing for sure is that, generally speaking, when something happens at a school or a student at a school does something that's, let's say, bad in nature—a violent act or something—right away there is all kinds of notoriety given to the school, given to the students, given to that neighbourhood in saying, “Well, look what happened at that school.”

I can remember one time a number of years ago—two years ago, I think it was—we had a Canadian championship basketball team that came from my riding. Four of those boys who were on this national championship team were from an area in my riding called Lawrence Heights, which is one of the designated areas. They won the national championship for basketball, representing Ontario, and one of the parents, Mrs. Davis, phoned me and she said, “These four boys just won the national cham-

pionship. No one has given them any recognition. For sure, if these four boys or if my boy did something wrong, it would be all over the radio and the newspaper. But here, they won the national championship—don't you care? Why does the press not care about these four boys who won the national championship?”

I remember that what I did was I brought the four boys down here. We had a reception down the hall here and invited the media to see these incredible young men who had achieved this great success. In fact, one of the young men is now at the University of California at Davis on a scholarship—in his third year now, I think. We asked the media to come and meet these boys and acknowledge them. No media showed up; zero showed up. Yet if one of those lads had done something untoward, they would have been there in a heartbeat. But these four young men who won the national championship in basketball for Ontario were not of interest to the media. Then they wonder why some of these young men who do good things sometimes wonder, “Jeez, where are the priorities around us? What do adults really have as priorities?”

Part of what we also have to do, along with reporting violence and bullying and so forth, is deal with the issues of learning disabilities. If you look at our correctional institutions, you'll see that more than half of the inmates have learning disabilities—dyslexia etc. They come from broken homes. They come from very violent backgrounds. They come with medical situations. We have to deal with the medical root causes at times. We have to deal with and support the home situation.

We also have to encourage young men and women when they do things that are positive. We have to encourage schools and teachers and volunteers at schools and in communities—who do good things—to acknowledge accomplishment, to reinforce the fact that good things are to be rewarded and are to be part of what's important in our lives as legislators or as different parts of society.

It's very good to talk about disciplining. I certainly believe in discipline; I certainly believe in supporting the vice-principals. They do an incredible job, our vice-principals do, in school. If you're ever in a vice-principal's office, you can see, all day, the incredible work the vice-principals have to do, dealing with the youth who have challenges. They do this day in, day out.

We have to support those vice-principals; we have to support our principals, and the mothers and the fathers who are trying to deal with young people who sometimes challenge authority. And it just doesn't come from one type of neighbourhood; it comes from all different types of neighbourhoods where young people tend, or at times will tend, to be rebellious.

This is a full-time undertaking by the Ministry of Education, through our school boards, through our teachers' associations and through our community organizations, which are all trying to do the best they can.

This legislation is an attempt to shore up one small piece of this whole puzzle of how to make our schools work better, how to ensure that young people achieve

success, and how young people get to feel good about themselves and get acknowledged for when they do good and not just admonished when they make mistakes.

Young people, like all of us, make mistakes. But that's when the guidance counsellor has to be there; that's when the phone call has to be made to the mother or the father or the guardian, the grandparent. That's what makes this all work.

This piece of legislation is no final solution; it is basically part of the solution. In trying to ensure that there's a complete, comprehensive solution, it's going to take ongoing co-operation between all of us working together to look at the full picture of education. And it doesn't stop inside the schoolyard; it doesn't stop when school is out. It's on the weekends; it's 24/7.

It's something that the police also have an incredible role in—and I'm so glad; the feedback I receive from parents about the police resource officers in our schools is exceptional. These young police officers volunteer to take the job in these schools. They work with the teachers and students. They've been doing an outstanding job of trying to show young people that the police officer is not only there when something goes wrong, but a police officer can be a great friend and another support mechanism in a school. I know it's working very well in London, and the police resource officers are really well received in the city of Toronto. This is part of the whole package of supporting our young people. It's not just done by our teachers; it can't just be done by the parents. All of us have to be engaged in ensuring success for young people, because the consequences of not investing in young people are dire, to say the least.

Thank you again, and I appreciate everybody's input in this debate. I think it's an important one, because it deals with an issue that is certainly very challenging.

1650

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Peter Shurman: I recall standing here a couple of weeks ago in debate on the Green Energy Act and saying that debating a bill called the Green Energy Act wasn't necessarily going to make the Green Energy Act green. Just because you call something by a name doesn't make it so. When you talk about mandatory reporting, for example, there is no mandatory reporting unless it is, in fact, mandatory. The other thing I noticed in the presentation by my colleague from Eglinton–Lawrence as well as that of the member from Trinity–Spadina is that we're bringing into this debate elements of cause and effect. This bill is not about cause and effect; it's about effect only.

So I have to say the legislation is not what our party had in mind. It won't help to protect Ontario's students any more than what we've had to date. We want to see any abusive incidents that take place at school reported unequivocally to the parent of the victim and to the police; it can't stop at some median point. This bill just simply doesn't do that. As I've already said, just because the McGuinty Liberals are calling this a bill that pertains

to mandatory reporting does not solve the problem. Protocol is not the same, in any event, as law. It simply requires teachers to report violence to a principal, and then the principal reports it to the parents but not necessarily to the police.

Now, we've heard a number of incidents brought to the floor of this Legislature; for example, by my colleague from Burlington. Another example from my colleague from Newmarket–Aurora got a fair amount of public notice because this is something that, while not endemic to society, is occurring far too often. Ontario students and their parents deserve much, much better than this.

So I say again that calling something safe does not necessarily make it so, and saying that something is mandatory is not so unless it is, in fact, mandatory. Let's put some teeth in the bill.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Kevin Daniel Flynn: It's a pleasure to join the debate today, because I think it's a very important issue that affects each and every member of this House in their own communities. There are a lot of issues we talk about in this House that pertain to individual communities, but very few times do we hit upon an issue that would impact each of our own communities. Certainly, when you look at the school system throughout Ontario, each and every one of us has schools and young people in our communities.

When you talk about the impact of bullying and the impact of some of the things that are happening in the schools—in the past, they either weren't happening or perhaps we just weren't talking about it. Perhaps we were glossing over the subject a little bit.

What's happened here, I think, as a result of that, is that a bill is being brought forward that I think is worthy of debate, which finally begins to address the issue of what parents and educators, and indeed the students themselves, have been talking about for some time; that is, the impact of violence in our schools, bullying in our schools, and the feeling that schools should be a safe place to be. I think it's something that educators, parents and, as I said, students themselves have agreed we need to do some more work on.

Now, obviously some members of the opposition will bring forward some suggestions that may be constructive, maybe some amendments they believe should be made that would strengthen the bill. Some of the opposition is simply opposition for opposition's sake. But any time you look at a piece of legislation, you have to look at if this bill was proposed, would our communities be a better place as a result of it?

I think, from what I've heard from this bill that I think is deemed worthy of support of all members of this House, that were this bill to pass, our schools would become much safer places, our communities would become much better places, and our students would have a much safer learning environment in which to move towards their future.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Lisa MacLeod: It's a pleasure to be able to again address this mandatory reporting bill. As I mentioned previously, I have a bill, Bill 130, before the Legislature. It is called the Children's Safety and Protection Rights Act, 2008. Among other things, it calls for mandatory reporting and amending the Education Act. Of course, that initiative came forward through my good colleague the MPP from Burlington, Ms. Joyce Savoline, who forcefully fought in this Legislature for us to take such actions.

Among the other initiatives—there are nine initiatives—some will amend the consumer services act, others the Education Act and two other initiatives. One is expanding the mandate of the independent child advocate; the other is expanding the mandate of the Ombudsman Act so that they may have more direct involvement in advocating and reporting to the ministers on how children are treated in our hospitals, our education system and through the children's aid societies in Ontario.

It also calls for something that child advocates have been calling for for some time now, which is dedicating November 20 as the provincial day of the child. Mr. Speaker, you know that November 20, worldwide and here in Canada, is known as the International Day of the Child. I think we ought to recognize that here in Ontario's Legislature. I think we also ought to recognize that in Ontario schools.

So, on April 23, I'll be looking for support from all of my colleagues in this chamber supporting me and our quest in the opposition in better protecting Ontario's children. But then, of course, I'd like to again thank my colleague from Burlington for the tremendous work she's doing on behalf of Ontario's children.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Liz Sandals: I am pleased to comment on the remarks by the member from Eglinton–Lawrence. He spoke about all the great things that kids do that they don't necessarily get acknowledgment for. In the work that the safe schools action team has done, we've found some really positive programs that students have been involved in, particularly at the secondary level.

One that can be used by any students for any sort of issue is where the students actually work with staff to identify issues in the school and then work on those issues with their colleague students. It might be bullying, it might be racism, it might be homophobia, or it might be bad stuff going on out in the parking lot. But the students identify the issues that they feel are making the school unsafe or an unpleasant school climate and then work together as a student body to address those.

Another one of the programs we ran into when we were doing research was more specifically working on issues of homophobia and sexual harassment. Again, what was important was that the students were initiating the workshops themselves and bringing other students to

come forward and talk about the issues, albeit under the supervision of a person from an outside agency who had some expertise in working with students. But the important thing, again, was the kids were identifying the issue and the kids were working on the issue together, and that made a big difference in the school climate.

There are great things we can do that don't go in legislation but that help kids.

1700

The Deputy Speaker (Mr. Bruce Crozier): Just one second. I'm going to mention this as long as it continues to be disregarded by members: Questions and comments are intended for you to ask questions and make comments on the person who debated before. Notwithstanding that, Mr. Colle, the member for Eglinton–Lawrence, you have two minutes to respond.

Mr. Mike Colle: That's disappointing, really, because I challenged them. I asked why they don't think of doing more things to recognize the good things young people do. I also asked the opposition, what do you tell the teacher who had 10 of his students shot and killed? What do you say to that family who are afraid to come out of their home at night, never mind go to the library, because there are gunshots fired continually in that neighbourhood? What do you tell that student who is afraid to go to the library because he or she might be shot? Then you wonder the next day why the student has not done their homework or their research—because they are afraid to go to the local library. How does that impact what happens in our schools? And why is it—I challenge the opposition again—that it's always the schools that have to solve all these problems? Why is it always the teachers? Why is it always the principals? Why is it always the vice-principals? What about the rest of us who are part of the greater community? Don't we have a role to ensure that our streets are safe, our schools are safe, our homes are safe?

Interjections.

Mr. Mike Colle: I know the Conservatives don't want to hear about that. They just want to talk about punishing people. But we also have to talk about how we ensure that people are safe, through good homes, good food, good jobs for their mothers and fathers and good part-time jobs for the older students.

So it's a bigger program, much bigger than the Conservatives could ever envisage.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Ms. Sylvia Jones: I rise today to participate in the debate of Bill 157, the Education Amendment Act (Keeping Our Kids Safe at School). Unfortunately, I do not believe the title will live up to its name. This bill has almost eerie comparisons to the Green Energy Act, which sounds good from the title. However, we see again that the devil is in the details, or, in the case of Bill 157, the lack of detail.

As parents, we send our children off to school every morning with the expectation that they will return home with knowledge and friendships, not hurt feelings and

bruises. Schools are supposed to be a safe haven for our children, a place for them to grow and learn not only about school subjects, but about themselves and how to form friendships.

Some students live in fear of going to school, the supposed safe haven. To some, it is not safe. It is the place where they feel terrorized, alone, unwanted and scared. It has to be heartbreaking for parents to send their children off to a place where they feel this way, but it happens, and it is our job as legislators to prevent it as much as possible.

The press brings to light children who are stepping out of the shadows of bullying to come forward and bravely tell their story.

Today I read the story of a Georgetown teen who was tormented by the same bully day in and day out for seven years. His life and the lives of his family were threatened. Seven years—that's half of his education. His girlfriend was sexually harassed. He went to school every day with the fear that he would never return home. Some days he contemplated suicide. Is this how our children should feel when they leave for school every day? Should they get on the bus in fear that they will never make it home? Should they feel that their life is so threatened by someone else that they would rather take their own life? Eventually, this teen graduated from high school—miraculously, I would say—and went on to college, where he was still harassed by the same bully. He received threatening phone calls, had his property vandalized, and his mother received a phone call threatening death. All of this, and no one could protect him. So he wanted to protect himself and his family. He took a fake gun to the home of the bully and threatened him. The bully backed down, but the teen was found guilty of attempted robbery. His bully went free.

In early February, a 12-year-old boy brought a gun to Runnymede Junior and Senior Public School, here in Toronto, to scare away his bullies. The boy was arrested and later granted bail. In court, he told officials that he had been verbally and physically abused for years and battled anxiety and depression because of it. Of course, it's not okay for any student to bring a gun to school and threaten innocent lives, but as importantly, this young boy thought that there was no one there to protect him, so he had to protect himself.

We have all heard the story of the Mississauga teen who had been tortured inside and outside of school by bullies. She is bravely speaking out to make others aware of her daily torment and raise awareness that bullying happens every day in school. And it's not just one particular person it happens to; it can happen to anyone.

I applaud the bullies who are taking a stand and revealing their pain publicly, in hopes that someone would stand up and help them as much as we need to help the victims.

On numerous occasions, my colleague the MPP from Burlington has risen during question period to call for mandatory reporting of bullying in schools. This is a member who truly cares about children and education

and wants to see these children protected and feeling at ease when they are at school. On numerous occasions she has offered recommendations to the Minister of Education on how to make our schools safer for all children. She was the one to bring these issues to light in this chamber, and for that I want to applaud her, for all her hard work and perseverance on this very important subject.

This bill will not help children as much as it sounds like it could. We are in a position, as elected officials in this province, to draft and enact legislation to help the citizens of Ontario. Children are one of the most vulnerable groups in Ontario, and Bill 157 is saying, "We will help you, maybe, sort of, eventually."

My colleague has raised the issues of mandatory reporting of acts of violence in school on several occasions in this House. She has been fighting for victims of bullies since last summer. This legislation, as it is currently written, will not help victims of child-on-child violence in Ontario any more than they are right now. This legislation simply requires teachers to report incidents of serious violence to the principals, who then report it to the parents, but never to the police—and only if the principal deems it of a nature serious enough to bring to the attention of the parents. They still have the option.

We want to see any abusive situation that takes place at school reported to the parents of the victim and the police. This bill will not do that. The McGuinty Liberals may call this mandatory reporting, but nothing will change. This bill does not solve the problem of student-on-student violence in Ontario schools, and again, it's there. Student-on-student violence is in Ontario schools and we need to stop it. My colleague has repeatedly brought this issue up in the chamber because serious incidents of student-on-student violence were occurring in which the principal was aware and deliberately did not call the police. This bill would bring in mandatory reporting of incidents by teachers to principals, which is already the procedure, but would not require the principal to involve the police. The government is deliberately using the language "mandatory reporting" to mislead the press and the public into thinking that they've resolved the issues our Progressive Conservative colleague has raised.

This bill would amend the Education Act to explicitly say that the principal is not required to even notify parents of a victimized pupil if, in the opinion of the principal, doing so is not in the pupil's best interests, regardless of age. What this means is that the case of the young Muslim pupil who was sexually assaulted by a gang of five boys at C.W. Jefferys, which was uncovered as a result of the Falconer report, would not have been impacted by the passing of this bill. The principal and vice-principal would still have been able to claim to have acted in the pupil's best interests by not reporting the incident.

1710

Here are a couple of examples of incidents which my colleagues raised in the House. On June 11, 2008, my PC

colleague raised the horrific case of a six-year-old grade 1 student who was assaulted in a washroom of a York region Catholic school by two 13-year-old students. Although the principal was made aware of the assault, the abuse was not reported to the parents.

The parents found out about this from the boy's sister, who attends the same school. The six-year-old had been beaten with a belt. When the parents confronted the principal and asked if she would contact the police, the principal said no and that she had no intention of reporting the matter. The parents called the police, who charged two 13-year-old boys with assault and assault with a weapon. Clearly, the police saw who the victim was.

Again on June 11, 2008, my colleague from Newmarket–Aurora brought this issue to the Premier's attention in the Legislature after attempting to have the issue dealt with to the satisfaction of the parents and being rebuffed at the school board level. Frank Klees was contacted by the parents when they realized that no one at the local level was taking up their cause. They were concerned that their son's assault was not being taken seriously by the school board.

Another concern I have with this bill is the lack of involvement by the children's aid societies. Our party enacted legislation that made it mandatory for parents, teachers and other figures in authority to report incidents of child abuse to the children's aid society immediately. You would think that student-on-student violence would be considered in the same category; it is not. We would like to see student-on-student violence reported to the children's aid society. This is a serious flaw in the proposed legislation.

On December 11, again in 2008, the safe schools action team released their report on gender-based violence, homophobia, sexual harassment and inappropriate sexual behaviour in schools. The report recommends mandatory reporting by teachers and staff of serious incidents, like assaults, to school principals. At the press conference, the Minister of Education said that legislation to that effect would be introduced in the spring.

Yes, legislation has been introduced, but it won't change anything. If principals do not deem the incident serious enough, then they do not even have to report it to the parents. Children are still going to be victims of violence at the hands of their peers, and there are still going to be zero consequences for their actions. This legislation changes nothing.

We have heard the recommendations of the safe schools action team. Their recommendations parallel those of my Progressive Conservative colleagues:

“All school staff must report to the principal:

—any incident that should be considered for suspension; and

—any incident that the principal is required to report to the police, including those for which expulsion must be considered.”

The action team also recommended that, “If a school must separate students after an alleged incident, it is pre-

ferable”—preferable—“that the alleged aggressor/perpetrator ... be moved,” not the alleged victim. “Supports must be provided to the student who is required to change schools.”

Think of the Mississauga teen who was put into a co-op education program so that she would not be in the same school as her bully. This bill does not sufficiently support the needs of the victim. In her case, the aggressor was allowed to stay in school, while the victim was forced out. Not only does she feel alone at school; officials isolated her from her peers and re-victimized her by removing her from the school.

The action team lists occurrences where police should be involved in our schools. Included are hate-motivated incidents, gang-related incidents, extortion, threats of serious physical injury, and incidents of vandalism.

Another disappointing aspect of this legislation is that, if passed, it is not slated to go into effect until February of 2010. You would think that legislation surrounding a school would be based on the school year, which begins in September. We cannot waste any more time in protecting these children. Now is the time.

This government, led by a Premier who claims to be the education Premier, needs to step up to the plate, demonstrate leadership and take every possible step to protect our students. Stop treating our children as though they do not deserve justice for being victims of violent acts. Help them through their fear of going to school. Give them the confidence they need to hold their heads high in the hallways at school because they are confident that there are people out there looking out for them. Prove to them that you will protect them in their school.

We need to make sure that all our students are safe from violence at school. We cannot keep them safe with this do-nothing bill. We can keep them safe through drafting and enacting legislation that makes schools accountable for what goes on in their hallways. We can keep them safe by ensuring there are repercussions for principals and teachers who do not report incidents of student-on-student violence.

Again, I am proud to stand today and highlight some of the exceptional work my colleague from Burlington has done to make mandatory reporting a necessity in schools. We all wish we didn't need it, but the reality is out there and we read about it every day. She has time and time again told story after story of students who have been victimized in their schools, and nothing has been done. She has gone to bat for those whose voices have been silenced by violence. By the looks of this proposed legislation, she is still the only one standing up for the rights of the victim.

She has told the House about the inquiry after the death of Jordan Manners. The Liberal government failed to act in a timely manner this case. If the inquiry we requested had been launched within a reasonable time frame, law enforcement would have unearthed the assault cover-up of a six-year-old girl, and the police could have held those responsible to account, as they wanted to. As

the statute of limitations had expired, the police were unable to proceed.

After the Minister of Education outright denied any wrongdoing, my colleague again stood up and said there was no excuse for not implementing mandatory reporting. The minister danced around the question and did not provide the victims or their families any solace that their pain, in the hands of student aggressors, would be lessened.

On another occasion, my colleague brought up the issue—this time with a gallery full of parents and students who had suffered from student-on-student abuse. My colleague asked the minister why she and the Liberals continued to silence the voices of those who desperately need a voice, desperately need a champion and desperately need protection. She asked, “When will you face the facts and finally implement mandatory reporting in your schools?” The minister’s only response was that she was sorry for the students in the gallery dealing with their difficult situation. Difficult situation? Try on the feeling of going to school, a supposed safe haven, and getting kicked. Try being called names, try being isolated, try the labels, try the hate, and then tell me about difficult situations.

As adults in the workplace, there are systems in place to ensure that things like this do not happen. We have human resources. We are encouraged to create a work environment free of hate and abuse. We can be terminated if it’s found that accusations are true. We have accountability; we have consequences. Right now, there are no consequences, no repercussions. As it stands today, youth in Ontario have been failed.

We need to work toward making sure that all our students will be safe from their abusers. We need to establish clear rules for the creation and enforcement of safety plans following incidents of violence and abuse. We need to remember that we have failed children like those who have stepped forward recently to tell their stories. We have failed countless other children who have not been able to step forward for fear of consequences they will face from their bullies at school.

Parents and children should not have to fight alone. They need to be backed up. They need us, as elected officials, to stand up for them and say, “There is something wrong here, and we need to fix it.” We need to act as their human resources, their voice in this fight. Regrettably, many of these parents and their children have been let down, and as we know from the stories we’re hearing, children and their lives have been put at risk. We’ve heard the stories. Again, I say to you that this has been heartbreaking for any parent, and I can’t imagine what the impact must have been on the children and their families. We want every serious incident of violence and abuse to be reported to the parents and to the proper authorities. We want to make sure that an action plan is put in place immediately and enforced. It has to happen for the sake of the students.

We also need to provide help to the children who are perpetrating the offences. We need to take whatever

action we can with the children, and we need to support those children too. Children who are nine years of age or anywhere younger or older are too young to be tarred with the brush of a deviant. The children deserve our help; they deserve counselling and support systems to resolve and monitor their issues now so that we won’t see these children later in the system, in one form or another, for the rest of their lives.

1720

I want to tell the story of someone I know who suffered at the hands of a bully at school. She was in grade 7 when it all began. She was tormented by a peer. The teachers and principal knew it was going on. They were actually scared of the student and her mother and therefore did not do anything to stop the abuse. One day the student was almost killed by the bully. There were no consequences for the bully, not even a one-hour detention.

It didn’t stop there. She spent the rest of her school year faking sick a lot to stay home, her parents pleading every day with the principal to do something about this. The torment continued at home, where the phone rang constantly, with hang-ups and obscenities. The torture went on for one full school year. As you can imagine, she wound up with low self-esteem, withdrawn and anti-social.

Eventually, though, she came out of it. She went to high school and became involved in groups and committees that had a wide social circle. Then it all began again, but with a different group of girls. She was tormented, called names and had things thrown at her in class. She was attacked at a courthouse in the bathroom, on a school field trip. No one did anything to help her, so no one came to her defence. She told the school guidance counsellor, who did nothing except tell the bullies that they had been reported.

This girl was tortured because she was smart and chose not to party with them in high school but to work, study and save money for her education.

While today she is in her 20s and has moved on from the abuse at the hands of her peers, there are still the lingering effects of bullying. Cases like this happen. This is real. We need to create productive legislation that will help students feel less like victims and more like survivors; more like they have the power, not the abuser.

Bill 157, as it is written, has our schools and our students used as pawns in a political game. We can do better, and our children deserve better. I would hope that the Liberals listen and make the amendments necessary to improve Bill 157.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Sophia Aggelonitis: I listened intently to the member from Dufferin–Caledon, and I thank her for her remarks. What I would like to say is that we have been talking about Bill 157 and we’ve been saying that, if passed, Ontario would be the first province in Canada with legislation of this kind. But I also wanted to add to the record some of the things that we have already done to make sure that our schools are safe.

We amended Bill 212 to include bullying as a suspendible offence. We annualized \$23 million for suspension and expulsion programs. We annualized \$10.5 million to support professional resources: more attendance counsellors, and psychologists. We annualized \$10 million for additional supports for urban and priority schools. We put \$6 million in the focus on youth program, \$1 million for Kids Help Phone, and \$4 million to boards for training on safe, equitable and inclusion schools.

The introduction of this bill is yet another example of leadership in education, and I hope that the members of this House will pass this legislation.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mr. Jerry J. Ouellette: I very much appreciate the comments on Bill 157 from the member from Dufferin-Caledon. There are a number of issues in this bill that I have concern about.

First of all, if you look at subsection 300.3(3), “A principal shall not notify a parent or guardian of a pupil if in the opinion of the principal doing so would put the pupil at risk of harm from a parent or guardian...”

Now, what that does is it actually emphasizes that the principal has control over the actions of the family. And the concern that I have here, quite frankly, is that in some incidents, principals have gone off school grounds—and I know in specific cases, because I’ve dealt with them throughout the year—and then taken authority on those individuals without being on school grounds. And there’s nothing stated in this legislation, the boundaries by which a principal can establish that.

Not only that, but if you look at subsection 3(1)(0.1) on page 3, “Every board shall establish policies and guidelines with respect to delegation by principals, under section 300.1...”

The difficulty with that is you’re getting different guidelines in each area. In our riding, for example, we have a number of different boards that will have different guidelines. So what has taken place in one particular incident with one student whom I’m dealing with currently, where the individual is in high school, is that the individuals who got involved in a particular situation have now been disbanded to different boards and different schools which are now subject to different guidelines. There needs to be consistency throughout the province.

We have to maintain the family unit as a family unit. If there are difficulties and problems, don’t give that principal the discretion to decide what is right for that family and what is not. The family needs to make those decisions, and that’s where the decisions should continue to be.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Liz Sandals: I do want to talk about the fact that the principal is given some discretion in reporting to the parents, and I would like to repeat once again the story that I told first of all in my remarks, which is about the student—it was multiple students, but one student in

particular whom we spoke to who was being bullied at school and was the victim of homophobic bullying. This student happened to have parents who were separated. When the father, with whom the student was living, found out that the student was lesbian, that young lady was thrown out of the home by that parent. When the mother found out, the student was thrown out for the second time by the mother.

Why, I ask you, would we want to force a principal, with no discretion, to make a call to a parent if the student says, “Please don’t call my parent. I’ll get thrown out. I’ll get beaten up”? Why would we inflict that on a student, particularly secondary students who will have some understanding? I understand that if you’ve got a little six- or seven-year-old, you need to talk to the parent. But when we’re dealing with teenagers, we do need to give some credence to what the teenager is saying about the family setting. That is why we are providing some discretion for the principal. It is exactly as the bill says: If there is going to be further harm occurring, then we don’t want further harm coming to the student. If in fact—

The Deputy Speaker (Mr. Bruce Crozier): Thank you. Questions and comments?

The member for Dufferin-Caledon, you have two minutes to respond.

Ms. Sylvia Jones: As I said at the beginning of my remarks on Bill 157, the Education Amendment Act (Keeping Our Kids Safe at School) will unfortunately not live up to the name in the title. I think we had a real opportunity with Bill 157 to bring forward some substantive changes that would improve the lives of children in Ontario, children who are trying to deal with bullying in the schools, peer-on-peer violence, and I think it’s an opportunity that will be lost if we don’t bring forward amendments and improve Bill 157, because there is an opportunity for us to improve how our children are being treated in school and how they are learning. So I will leave it at, we need the amendments.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Mr. Kevin Daniel Flynn: I don’t think there’s any subject that draws the emotion of a community to the forefront as much as when you’re speaking about education and when school communities get together to discuss some of the things that are happening within their school community. I think that, out of all the things we do in the various stages we go through in life, the years that we spend in school and the years that we spend as parents are probably some of the most memorable, and it really adds some definition and meaning to our life. So when an issue comes forward such as Bill 157, which is intended to keep our kids safe in those schools, I think it’s something that all members of this House should pay attention to.

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I’ve got a terrific community where I live in Oakville, and a terrific riding. I know that Ontario is a place where people really have strong values when it comes to public

education, and there's probably nowhere that is more demonstrated in the province than in my own community of Oakville. We have people who have moved to Oakville from all over the world, and a lot of the reason they have moved here is for the quality of the public education system that we have right here in our community.

So when I see Bill 157 come forward, what it says to me is, "I belong to a government that takes school safety issues very, very seriously and wants to do the best it can do to make sure that when our kids go off to school in the morning"—whether they're walking to school or taking the school bus, when they go off, parents want to have the confidence that their children, their students, are safe. What I think our educators need and expect of their government and have asked of their government is legislation that allows for that to happen. They want a framework put around the ability of that school, of that community to ensure that all participants in the education system are safe on a daily basis.

So that's the reason for this being here. I think it speaks to the quality of Ontario citizens as parents, as educators and simply as human beings—grandparents would be included in that—that they expect the institutions that children attend on a daily basis to be places where they won't get bullied; where, if their sexual orientation perhaps isn't the same as the majority of the other students, that won't become an issue and a cause for violence; that they won't be harassed, troubled, bullied; that they'll be allowed to fulfill their full potential and partake in the educational system for the reason that it was intended, and that is to make people more productive members of our society and to allow our society to move forward. That's what contributes to the lifestyle that we have here in the province of Ontario. There's a lifestyle that I think is envied throughout the world, and part of that fabric is the public education system.

So obviously, there are some reasons for this legislation coming forward. People have expressed concerns in the past. In my own community—I've got schools in my own neighbourhood—I think of St. Dominic and Eastview, both within a five-minute drive from my house. One is in the public system and one in the separate system. From time to time, you hear about problems that have arisen in those schools where teachers have been called in to deal with situations that perhaps they didn't have to deal with in the past. I think of other schools, like Pine Grove, in my own community, a French immersion school—same issues. The same things need to be dealt with on a daily basis.

This legislation that is being passed is going to enshrine mandatory reporting. It's going to give some framework and some substance that tells the school staff and the principals just what's expected of them when these incidents arise. Now, we would all like to sit here today and hope that these incidents would not arise, but I think experience has shown us over the years that from time to time, inappropriate behaviour will surface in our

schools. It's a fact of life and it's something we'd like to limit, but I think what we need to have is a strong framework that explains what the consequences of that are. What we are saying is that in some circumstances, this could result in expulsion. In some circumstances, it could result in suspension. But it sets a firm framework around that so that the people we trust to educate our children on a daily basis understand what their actions should be and what their society expects of them and, through this government activity, they will know what to do on a daily basis.

We don't want to see violence in the schools. We don't want to see some of the vandalism we've seen on our school properties in the past. We don't want schools to become places where you go and buy drugs. So there has to be a consequence attached to that. That's what's going to make our schools safe. That's what's going to make our schools places where young people are able to go and get the education that they want. This enshrines the ability of the principals to delegate that authority to a VP or to even another teacher who's responsible for discipline and safety in those schools.

When you look at these proposals that are being brought forward today, it really speaks highly of our community. It really speaks highly, I think, of all of us as parents. All of us, as students at one time in our lives, attended schools. If we thought back deeply enough, we probably could think of examples of where we have witnessed bullying ourselves, where we have witnessed another student perhaps being called a name because they were of a different race or because they were of a different sexual orientation. Perhaps some of the young people who are here today as pages can think of experiences that they've had in their own schools when they have seen this type of activity taking place. I think that young people would like to know that there's accountability for that: that if that inappropriate behaviour takes place, somehow there's a system in place that's going to deal with that; that the person who has perpetrated that incident isn't going to get off with it; that it's not going to be allowed, that it's not going to be condoned; and that those students who attend school on a daily basis because they want to learn, in such places as Oakville Trafalgar High School in Oakville, for example—it's got a wonderful reputation throughout the province of Ontario. When you see the EQAO scores that are listed for my community, in Oakville, they're very good scores. It's something we're all proud of, as a community. But all that goes for naught if those schools aren't safe places to be. Although we have some incidents in Oakville, I don't think that they would be typical. But certainly they do arise from time to time, and we need a system that's going to deal with them.

We have some wonderful French immersion schools in our community. We have some English single-track schools, and we have dual-track schools, each of them providing the level of education that the parents have deemed that they would like to see their children receive. We have some francophone schools, both in the public

and the Catholic boards, and we have a large number of private schools. Bill 157, the Keeping Our Kids Safe at School act, will allow for all of those schools to understand that the provincial government has expectations of them and that the parents who have children at those schools are allowed to exercise that authority through their government and give firm direction to the administrators and the teachers of those schools as to what they should do should an incident arise.

What I particularly like about Bill 157 is that we're moving very, very quickly on this, because we understand that it's an issue that needs to be addressed very quickly. In December, late last year, the report came forward. We introduced Bill 157 on March 12 of this year. The reading is now occurring one week after the introduction. If the bill is passed—and I hope the House chooses to pass the bill—it's going to take a little bit of time over the summer to ensure that all the school staff are trained, and we simply can't do that over the summer. We understand that's something that needs to take place when the school session is in.

I've heard some suggestions from the opposition as to how this could be improved, perhaps—that's the role of opposition—and I hope that the minister is listening. I also hope that when it goes to the committee, it will receive due consideration, as it should.

I think when you look at the intent behind the bill, it's inarguable that it's in the best interests of the students in our community. It's inarguable that it's in the best interests of the public education system, which we're all proud of in this province, that this bill be passed as quickly as possible so that the people we entrust with the education of our young people can continue to provide the educational quality that they have in the past and also make the institutions where that education takes place places that each and every one of us in this House would be proud to send our children.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Ms. Lisa MacLeod: It's always a pleasure to enter the debate on the mandatory reporting bill. Of course, it is the third time I've had an opportunity to address this bill today, and not a lot has changed from speaker to speaker. Again, as my good colleague from Thornhill pointed out, it always gives me an opportunity to talk about the legislation I put forward on November—

The Deputy Speaker (Mr. Bruce Crozier): As a matter of fact, it doesn't give you that opportunity. You have to speak, according to standing order 25, to the matter that's before the House.

Ms. Lisa MacLeod: Thank you, Mr. Speaker.

I appreciate the opportunity to speak to the mandatory reporting bill and talk about my vision and passion, as it was included in the previous bill that I tabled before this Legislature in November, which will be debated on April 23, 2009, discussing mandatory reporting. Of course, we all know, as I have indicated in this chamber several times, this initiative has been brought forward based on the great work that my colleague Joyce Savoline has done for the children of this province.

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Of course, mandatory reporting is something that we have been calling for in the official opposition, and through the great work that my colleague Joyce Savoline has done, many people have been here in this chamber working to see a solution to the problem of bullying and other challenges our children are facing on school property.

We have some concerns with this legislation. I look forward to discussing this legislation tomorrow with my caucus colleagues in the official opposition under the great leadership of Joyce Savoline, the MPP for Burlington. Of course, I look forward, again, to discussing mandatory reporting on April 23, 2009, when we discuss Bill 130.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments?

Mrs. Carol Mitchell: I'm very pleased to add my comments to the member from Oakville. I want to tell you right off that I will be supporting Bill 157.

When we think about sending our children off to school every day, we think about how important it is that we, as a legislative body, ensure that our children are safe. We know that the environment that produces the best education, the best foundation for their roots to grow strong, must be a safe environment. So by going forward with mandatory reporting, this is part of the protocols that will be established to ensure that we are, within our legislative responsibilities, making sure that there's a mechanism to recognize when issues are happening in our school systems.

I know that, as a parent, when you send your children off to school for the very first day, you make sure that their lunchbox, or bag, I guess it is now, and everything is all polished up, and their food, and one of the things you do think of is how your child will work within the environment. Is it a place where they will be able to grow? When I hear comments from the member for Oakville in support and the reasons for it, I feel quite confident, and I know that the people of Ontario will be confident in sending their children off to school and that we are doing everything we can to ensure that the environment remains as productive as possible.

Thank you for allowing me just a couple of minutes to speak to such a very important bill. I look forward to having a further opportunity down the road to speak at length.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments.

Mr. Jerry J. Ouellette: Regarding Bill 157 once again, the member opposite just finished mentioning that we know our students are safe and, quite frankly, it's a Big-Brother-watching scenario.

Once upon a time in the province of Ontario, I can remember when there used to be rinks at every school because they took the time to put them in. Now we can't have rinks. The principals don't want them because of the liability issue. Not only that, but the playgrounds are removed from the schools because the current system

will not allow it to take place. Here it is, Big Brother watching again, and guess what? We can't slide on the ice in the schools anymore because somebody is going to get hurt. Believe me, I deal with it on a regular basis. They go out for recess and it's, "Everybody stand there and behave yourself." Let's go like robots and stand there and do a real good job. Quite frankly, I believe the family unit needs to be informed and has to be informed on situations that occur on school property; otherwise, Big Brother continues to be watching.

Here we are, turning over responsibility to the principals to make sure they're making the right decision in the family unit because they're going to grow up in a safe environment. Well, the member opposite spoke about the incident at the school. Do you not think those parents should find out or will find out at some stage in their life? Do you not think they should be given the right or the responsibility to know? Yet, we are taking away that responsibility once again. We continue to do that on a regular basis. I have some strong concerns with that because I don't believe it's in the best interests of the students and the province of Ontario.

The Deputy Speaker (Mr. Bruce Crozier): Questions and comments.

Mr. Bob Delaney: I'm pleased to add my comments to this bill. I just want to start off by reading a quote from the president of the Ontario Principals' Council, and I think this kind of sums it up best. She said that it is "important to have preventive measures, but visible adult supervision is often the best deterrent of bullying and school violence." How can you quarrel with that?

As the member for Oakville said, this is an action that's important to everybody. It's certainly important to the parents and students at places like Meadowvale Secondary, Streetsville Secondary, St. Joseph's in the riding of Mississauga–Streetsville, and also at Our Lady of Mount Carmel in Meadowvale.

This government moved very quickly on this particular issue, and I think it's important enough to reiterate: We received the report in December, just before Christmas. How long did it take for the government to get going? As soon as the House reconvened. Bill 157 was introduced on March 2, and second reading is now occurring a week after introduction. How much quicker does it get?

If passed, this bill would take some time to ensure that school staff are trained. In other words, it's going to be done right, and we can't do all this over the summer.

There are a couple of points that are worthy of making in the last couple of seconds here. One point that people have sometimes asked is, "Does the report get to the root causes of inappropriate behaviour?" What it does is require school staff to intervene in all cases of disrespectful and inappropriate student behaviour as long as it's safe to do so.

For schools such as St. Aloysius Gonzaga and John Fraser Secondary in western Mississauga, and for West Credit Secondary and St. Joan of Arc and Stephen Lewis, this is the kind of bill that we need, and need right now.

The Deputy Speaker (Mr. Bruce Crozier): The member for Oakville, you have two minutes to respond.

Mr. Kevin Daniel Flynn: I really appreciate some of the comments I've heard. Obviously, there are going to be some differences of opinion. As I said in my opening remarks, there probably is nothing that draws the emotion out of people as much as when you talk about school issues and children's issues. Anything that involves the education of our young people brings people's passions to the front, and that's a good thing.

Some of the constructive suggestions that have been offered are worthwhile for consideration. Some of them, perhaps, I wouldn't agree with, but the opposition is exercising its right to bring them forward.

For parents, it's a sign that our society is changing. In the past, it would have been the societal norm that if you were being bullied, you just suffered in silence. Somehow, you got through that; somehow, you dealt with it yourself. What we're saying is that that simply is not acceptable anymore; that somewhere within the educational system there needs to be a way of dealing with people who are suffering the effects of gender-based violence, homophobia perhaps, sexual harassment, or inappropriate behaviour. A young person who is going through that, a young member of our society, has the right to our protection. I don't think that's being Big Brother at all. I think that's being a human being to another human being. That's the sort of relationship we should expect from each other. It's the sort of relationship we expect from each other as family members, as members of society, and certainly something we should see exhibited within our school system.

I wouldn't say it's overdue, but I'd say its time has come. It is a signal that, as a society, we've come to recognize a problem that has been ignored for far too long. Bill 157 is going to change that and should be supported as quickly as possible.

The Deputy Speaker (Mr. Bruce Crozier): Further debate?

Ms. Lisa MacLeod: I appreciate the opportunity to yet again speak to Bill 157, the Education Amendment Act (Keeping Our Kids Safe at School). Mr. Speaker, as you know, I think that we should be keeping all the kids safe in Ontario.

Interjections.

The Deputy Speaker (Mr. Bruce Crozier): Order.

Ms. Lisa MacLeod: I appreciate the reaction I'm getting from the members of the government. I know they're as excited to address this piece of legislation as I am.

I must admit that this is something that we have been working on in this chamber as the official opposition, so we look forward to working with the government to ensure that the appropriate process is put in place by which parents and educators will be able to properly notify one another when a child needs help.

I will say, though, that this legislation isn't exactly what we had in mind for mandatory reporting, or what we have been calling for. At this point, without substantive amendments, it won't help to protect Ontario's

students any more than they are today. We would like to see any abuse incidents that take place at school reported unequivocally to the parent of the victim and the police. That's exactly what Bill 130 calls for, the Children's Safety and Protection Rights Act, 2008, which I put forward in November of last year. Unfortunately, the bill before us is much weaker than the provision contained in Bill 130, which will be debated on April 23.

1750

Now, just because you're calling for mandatory reporting, that doesn't solve the problem. My colleague from Oshawa pointed that out earlier. We have real problems on our school grounds, and I think it goes without saying that just because a protocol is introduced, that doesn't mean that it is the same as it would be as if it were the law. This simply requires teachers to report violence to the principal, who would then report it to the parents but not to police. I don't have to remind this chamber of the horrific story brought forward by the MPP from Burlington as well as the MPP from Whitby—Oshawa on an issue—I think, a very severe issue—which occurred on school grounds in my seatmate's riding.

Ontario students and their parents deserve better. They deserve the proper protections. Our party raised the issue of mandatory reporting last summer with regard to a number of serious incidents taking place on public school grounds in which the principal was aware of the incident, but in these cases deliberately neglected to contact the police. That's why we in the official opposition believe that this bill, Bill 157, should contain the same strength that Bill 130 does in dealing with mandatory reporting. This bill will bring in mandatory reporting of incidents by teachers to principals, which is already a procedure, but would not require the principal to phone police. The government is deliberately using this language of "mandatory reporting" so that the press and the public will believe they are solving the issue and that they have resolved the issues that this party, the official opposition, has raised in the province of Ontario.

Also, this bill would amend the Education Act to explicitly say that the principal is not required to even notify the parents of a victimized pupil if it, "in the opinion of the principal doing so ... is not in the pupil's best interests," regardless of age. I have a problem with that. I think that we need to be very clear. I think a parent knows what's best for their child. There's no other arbiter in this chamber, nor in any other classroom, who can say what is best for the child of a parent. I speak as a mother myself. What I'm concerned about and what this means is that the case of the young Muslim pupil who was sexually assaulted by a gang of five at C.W. Jefferys, which was uncovered as a result of the Falconer report, would not have been impacted by the passing of this bill. That's quite serious. I'm glad that the chamber has quieted. But the incident that happened at C.W. Jefferys and that was reported in the Falconer report needs to be addressed. It means that children whom we ought to be protecting, and giving their parents and the police more

tools, won't be addressed in this, and I think it would be very relevant at committee that that be addressed. The principal and vice-principals would still have been able to claim in that particular case to have acted in the pupil's best interests by not reporting the incident.

On March 4, a six-year-old grade 1 student was assaulted in a washroom of a York region Catholic school by two 13-year-old students. Although the principal was made aware of the assault, she did not report it to parents. The parents found out about this from the boy's sister, who attends the same school. The six-year-old boy had been beaten with a belt. When the parents confronted the principal and asked if she would contact the police, the principal said no and that she had no intention of reporting the matter. The parents called the police, who have charged the two 13-year-old boys with assault and assault with a weapon. This is happening in our schools here in Ontario.

On June 11, 2008, my colleague the member for Newmarket—Aurora, Frank Klees, brought the issue to the Premier's attention in the Legislature after his attempts to have the issue dealt with at the school to the satisfaction of the parents who were affected were rebuffed by the school board, at that school board level. Mr. Klees was then contacted by the parents when they realized that no one at the local level was taking up their case. The Child and Family Services Act of Ontario states that child abuse at the hands of a parent or a person in authority must be reported to the police or the CAS, but there is no legal requirement to report abuse or violence at the hands of another student. That's a serious flaw in the legislation.

Again, I think there is room for improvement in this legislation. My colleague the MPP from Burlington has brought forward some very serious issues in this chamber on student-on-student violence that need to be addressed. I feel privileged to be able to debate this very important legislation today. I feel honoured that so many child advocate groups have endorsed my bill, Bill 130, to ensure that there are more protections in place for children in this province than there are today, after that bill will be passed, hopefully, with the support of my colleagues and all sides of this chamber.

But as I draw to a close, I want to encourage the minister to look at this legislation and to make it as strong as it possibly can be, because I believe, as do my colleagues in the official opposition, that mandatory reporting by principals or other educators to police will help us prevent more abuses on school grounds.

Please accept my thanks for the opportunity to debate Bill 157, and I look forward to hearing questions and comments.

Second reading debate deemed adjourned.

The Deputy Speaker (Mr. Bruce Crozier): It being very near 6 of the clock, this House is adjourned until Tuesday, March 24, at 9 of the clock.

The House adjourned at 1759.

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Kwinter, Monte (LIB)	York Centre / York-Centre	
Lalonde, Jean-Marc (LIB)	Glengarry–Prescott–Russell	
Leal, Jeff (LIB)	Peterborough	
Levac, Dave (LIB)	Brant	
MacLeod, Lisa (PC)	Nepean–Carleton	
Mangat, Amrit (LIB)	Mississauga–Brampton South / Mississauga–Brampton-Sud	
Marchese, Rosario (NDP)	Trinity–Spadina	
Martiniuk, Gerry (PC)	Cambridge	
Matthews, Hon. / L'hon. Deborah (LIB)	London North Centre / London- Centre-Nord	Minister of Children and Youth Services / Ministre des Services à l'enfance et à la jeunesse Minister Responsible for Women's Issues / Ministre déléguée à la Condition féminine
Mauro, Bill (LIB)	Thunder Bay–Atikokan	
McGuinty, Hon. / L'hon. Dalton (LIB)	Ottawa South / Ottawa-Sud	Minister of Intergovernmental Affairs / Ministre des Affaires intergouvernementales Premier / Premier ministre Leader, Liberal Party of Ontario / Chef du Parti libéral de l'Ontario
McMeekin, Hon. / L'hon. Ted (LIB)	Ancaster–Dundas–Flamborough– Westdale	Minister of Government Services / Ministre des Services gouvernementaux
McNeely, Phil (LIB)	Ottawa–Orléans	
Meilleur, Hon. / L'hon. Madeleine (LIB)	Ottawa–Vanier	Minister of Community and Social Services / Ministre des Services sociaux et communautaires Minister Responsible for Francophone Affairs / Ministre déléguée aux Affaires francophones
Miller, Norm (PC)	Parry Sound–Muskoka	
Miller, Paul (NDP)	Hamilton East–Stoney Creek / Hamilton-Est–Stoney Creek	
Milloy, Hon. / L'hon. John (LIB)	Kitchener Centre / Kitchener-Centre	Minister of Training, Colleges and Universities / Ministre de la Formation et des Collèges et Universités
Mitchell, Carol (LIB)	Huron–Bruce	
Moridi, Reza (LIB)	Richmond Hill	
Munro, Julia (PC)	York–Simcoe	
Murdoch, Bill (IND)	Bruce–Grey–Owen Sound	

Member and Party / Député(e) et parti	Constituency / Circonscription	Other responsibilities / Autres responsabilités
Naqvi, Yasir (LIB)	Ottawa Centre / Ottawa-Centre	
O'Toole, John (PC)	Durham	
Oraziotti, David (LIB)	Sault Ste. Marie	
Ouellette, Jerry J. (PC)	Oshawa	
Pendergast, Leeanna (LIB)	Kitchener–Conestoga	
Peters, Hon. / L'hon. Steve (LIB)	Elgin–Middlesex–London	Speaker / Président de l'Assemblée législative
Phillips, Hon. / L'hon. Gerry (LIB)	Scarborough–Agincourt	Chair of Cabinet / Président du Conseil des ministres
		Minister Without Portfolio / Ministre sans portefeuille
Prue, Michael (NDP)	Beaches–East York	Deputy Third Party House Leader / Leader parlementaire adjoint de parti reconnu
Pupatello, Hon. / L'hon. Sandra (LIB)	Windsor West / Windsor-Ouest	Minister of International Trade and Investment / Ministre du Commerce international et de l'Investissement
Qaadri, Shafiq (LIB)	Etobicoke North / Etobicoke-Nord	
Ramal, Khalil (LIB)	London–Fanshawe	
Ramsay, David (LIB)	Timiskaming–Cochrane	
Rinaldi, Lou (LIB)	Northumberland–Quinte West	
Runciman, Robert W. (PC)	Leeds–Grenville	Leader, Official Opposition / Chef de l'opposition officielle
Ruprecht, Tony (LIB)	Davenport	
Sandals, Liz (LIB)	Guelph	
Savoline, Joyce (PC)	Burlington	
Sergio, Mario (LIB)	York West / York-Ouest	
Shurman, Peter (PC)	Thornhill	
Smith, Hon. / L'hon. Monique M. (LIB)	Nipissing	Minister of Tourism / Ministre du Tourisme
		Government House Leader / Leader parlementaire du gouvernement
Smitherman, Hon. / L'hon. George (LIB)	Toronto Centre / Toronto-Centre	Deputy Premier / Vice-premier ministre
		Minister of Energy and Infrastructure / Ministre de l'Énergie et de l'Infrastructure
Sorbara, Greg (LIB)	Vaughan	
Sousa, Charles (LIB)	Mississauga South / Mississauga-Sud	
Sterling, Norman W. (PC)	Carleton–Mississippi Mills	
Tabuns, Peter (NDP)	Toronto–Danforth	
Takhar, Hon. / L'hon. Harinder S. (LIB)	Mississauga–Erindale	Minister of Small Business and Consumer Services / Ministre des Petites Entreprises et des Services aux consommateurs
Van Bommel, Maria (LIB)	Lambton–Kent–Middlesex	
Watson, Hon. / L'hon. Jim (LIB)	Ottawa West–Nepean / Ottawa-Ouest–Nepean	Minister of Municipal Affairs and Housing / Ministre des Affaires municipales et du Logement
Wilkinson, Hon. / L'hon. John (LIB)	Perth–Wellington	Minister of Research and Innovation / Ministre de la Recherche et de l'Innovation
Wilson, Jim (PC)	Simcoe–Grey	Second Deputy Chair of the Committee of the Whole House / Deuxième vice-président du Comité plénier de l'Assemblée législative
Witmer, Elizabeth (PC)	Kitchener–Waterloo	Opposition House Leader / Leader parlementaire de l'opposition officielle
		Deputy Leader, Official Opposition / Chef adjointe de l'opposition officielle
Wynne, Hon. / L'hon. Kathleen O. (LIB)	Don Valley West / Don Valley-Ouest	Minister of Education / Ministre de l'Éducation
Yakabuski, John (PC)	Renfrew–Nipissing–Pembroke	
Zimmer, David (LIB)	Willowdale	

**STANDING AND SELECT COMMITTEES OF THE LEGISLATIVE ASSEMBLY
COMITÉS PERMANENTS ET SPÉCIAUX DE L'ASSEMBLÉE LÉGISLATIVE**

Standing Committee on Estimates / Comité permanent des budgets des dépenses

Chair / Président: Tim Hudak
Vice-Chair / Vice-président: Garfield Dunlop
Gilles Bisson, Bob Delaney
Garfield Dunlop, Kevin Daniel Flynn
Tim Hudak, Amrit Mangat
Phil McNeely, Yasir Naqvi
John O'Toole
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Finance and Economic Affairs /
Comité permanent des finances et des affaires économiques**

Chair / Président: Pat Hoy
Vice-Chair / Vice-président: Jean-Marc Lalonde
Sophia Aggelonitis, Ted Arnott
Wayne Arthurs, Toby Barrett
Pat Hoy, Jean-Marc Lalonde
Leeanna Pendergast, Michael Prue
Charles Sousa
Committee Clerk / Greffier: William Short

**Standing Committee on General Government / Comité
permanent des affaires gouvernementales**

Chair / Président: David Oraziotti
Vice-Chair / Vice-président: Jim Brownell
Robert Bailey, Jim Brownell
Linda Jeffrey, Kuldip Kular
Rosario Marchese, Bill Mauro
Carol Mitchell, David Oraziotti
Joyce Savoline
Committee Clerk / Greffier: Trevor Day

**Standing Committee on Government Agencies / Comité
permanent des organismes gouvernementaux**

Chair / Présidente: Julia Munro
Vice-Chair / Vice-présidente: Lisa MacLeod
Michael A. Brown, France Gélinas
Randy Hillier, Lisa MacLeod
Julia Munro, David Ramsay
Lou Rinaldi, Liz Sandals
Maria Van Bommel
Committee Clerk / Greffier: Douglas Arnott

**Standing Committee on Justice Policy / Comité permanent de
la justice**

Chair / Président: Lorenzo Berardinetti
Vice-Chair / Vice-président: Jeff Leal
Lorenzo Berardinetti, Christine Elliott
Peter Kormos, Jeff Leal
Dave Levac, Reza Moridi
Lou Rinaldi, John Yakabuski
David Zimmer
Committee Clerk / Greffière: Susan Sourial

**Standing Committee on the Legislative Assembly / Comité
permanent de l'Assemblée législative**

Chair / Président: Bas Balkissoon
Vice-Chair / Vice-président: Kevin Daniel Flynn
Laura Albanese, Bas Balkissoon
Bob Delaney, Joe Dickson
Kevin Daniel Flynn, Sylvia Jones
Norm Miller, Mario Sergio
Peter Tabuns
Committee Clerk / Greffière: Tonia Grannum

**Standing Committee on Public Accounts / Comité permanent
des comptes publics**

Chair / Président: Norman W. Sterling
Vice-Chair / Vice-président: Jerry J. Ouellette
Laura Albanese, Ernie Hardeman
Andrea Horwath, Phil McNeely
Jerry J. Ouellette, Liz Sandals
Norman W. Sterling, Maria Van Bommel
David Zimmer
Committee Clerk / Greffier: Katch Koch

**Standing Committee on Regulations and Private Bills / Comité
permanent des règlements et des projets de loi d'intérêt privé**

Chair / Président: Michael Prue
Vice-Chair / Vice-président: Paul Miller
Bas Balkissoon, Mike Colle
Rick Johnson, Gerry Martiniuk
Paul Miller, Bill Murdoch
Yasir Naqvi, Michael Prue
Tony Ruprecht, Mario Sergio
Committee Clerk / Greffière: Sylwia Przewdziecki

**Standing Committee on Social Policy / Comité permanent de
la politique sociale**

Chair / Président: Shafiq Qaadri
Vice-Chair / Vice-président: Vic Dhillon
Laurel C. Broten, Kim Craitor
Vic Dhillon, Cheri DiNovo
Helena Jaczek, Shafiq Qaadri
Khalil Ramal, Peter Shurman
Elizabeth Witmer
Committee Clerk / Greffier: Katch Koch

Select Committee on Elections / Comité spécial des élections

Chair / Président: Greg Sorbara
Howard Hampton, Greg Sorbara
Norman W. Sterling, David Zimmer
Committee Clerk / Greffier: Trevor Day

**Select Committee on Mental Health and Addictions / Comité
spécial de la santé mentale et des dépendances**

Chair / Président: Kevin Daniel Flynn
Vice-Chair / Vice-présidente: Christine Elliott
Bas Balkissoon, Christine Elliott
Kevin Daniel Flynn, France Gélinas
Helena Jaczek, Sylvia Jones
Jeff Leal, Liz Sandals
Maria Van Bommel
Committee Clerk / Greffière: Susan Sourial

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