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Wednesday 27 October 2010

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Mercredi 27 octobre 2010

**Standing Committee on
Estimates**

Ministry of Training, Colleges
and Universities

**Comité permanent des
budgets des dépenses**

Ministère de la Formation
et des Collèges et Universités

Chair: Garfield Dunlop
Clerk: Douglas Arnott

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LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON
ESTIMATESCOMITÉ PERMANENT DES
BUDGETS DES DÉPENSES

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*The committee met at 1550 in room 151.*MINISTRY OF TRAINING, COLLEGES
AND UNIVERSITIES

The Chair (Mr. Garfield Dunlop): I call the meeting to order.

Welcome to the minister and the staff of the Ministry of Training, Colleges and Universities.

There's a total of three hours and eight minutes remaining. When the committee adjourned, the government party had finished its turn. We will now start the next round of questioning with the official opposition for 20 minutes, followed in turn by the third party and the government for their next rounds.

I now recognize the official opposition, and you have 20 minutes, Mr. Hillier.

Mr. Randy Hillier: Thank you, Minister, for being here on this lovely afternoon.

I want to start with a few questions on this TCAF, which of course is a fund for insurance purposes for private career colleges. I've been having a lot of difficulty finding exactly the financial state of that fund. We've seen that there have been increasing demands by your government for premiums from the private career colleges. Can you tell me how you determine what that level of taxation is on those private career colleges?

Hon. John Milloy: I don't agree with the use of the word "taxation." The TCAF came into effect very recently as a student protection. We ask private career colleges to fund this TCAF so that a student who is somehow displaced—and we'll get into the rules and regulations on it—has access to an insurance fund. That sort of funding exists in a number of places.

Mr. Randy Hillier: No, my question is, how do you determine, sir, how much each career college provides to that fund?

Hon. John Milloy: Sure. I just wanted to take issue with the word "taxation."

I'm going to turn it over to the deputy. I also know, through the deputy, that we have individuals here from the private career college branch, or other folks.

Deputy?

Ms. Deborah Newman: Thanks very much, Minister. Deborah Newman, deputy minister. I'm going to actually ask Nancy Naylor, our assistant deputy minister for post-

secondary education, to respond to your question, Mr. Hillier.

Mr. Randy Hillier: All right.

The Chair (Mr. Garfield Dunlop): Please go ahead.

Ms. Nancy Naylor: Sure. Thank you. As the minister mentioned, the TCAF fund was set up with the new PCC act—

Mr. Randy Hillier: No, I want to know how you determine the level of premiums or taxation—whatever term you want to use—for each private career college.

Ms. Nancy Naylor: I apologize that I don't have the specifics in front of me. We'd be happy to give them to you. They are graduated by size. They were established in consultation with the industry in order to establish a fund that could be reasonably expected to support the train-out costs if there were examples of PCCs that had to close.

Mr. Randy Hillier: Can we get the answer to that question a little bit later on?

Hon. John Milloy: Yes, we'll provide it.

Mr. Randy Hillier: Okay.

Ms. Nancy Naylor: I think you had also asked about the current state of the fund. The current balance in the fund is about \$4 million.

Mr. Randy Hillier: About \$4 million. That's enough to ensure any foreseeable demands on that fund?

Ms. Nancy Naylor: To date, it has been. We have supported the train-out costs of students in a very few institutions that have either closed or been asked to close. To date, it's been sufficient to meet all of those demands. The fund is reaching a level of financial health and stability that the industry is supportive of.

Mr. Randy Hillier: Maybe you can answer: How much have those premiums gone up from year to year?

Ms. Nancy Naylor: We can get those answers for you.

Mr. Randy Hillier: Do the private career colleges have access to those financial figures of that insurance fund? Because it really is an industry insurance fund. Do private career colleges have access to all the financial information of that fund that they're funding?

Ms. Nancy Naylor: Yes, it's a public fund, so we would report on that. I know, in conversations with the industry associations—I've heard verbal reports on it, so I understand that we also give them written reports but I cannot—

Mr. Randy Hillier: But they are available to all private career colleges?

Ms. Nancy Naylor: Yes.

Mr. Randy Hillier: So they can see what level of expenditures the fund has been engaged in, how much has been spent and how much—

Ms. Nancy Naylor:—has been drawn down.

Mr. Randy Hillier:—how much revenue—maybe we can make those financials available to the committee as well.

Ms. Nancy Naylor: Sure. I would just add as well, it is governed by a board that is drawn from the private career college industry, so there are representatives and they're encouraged also to maintain good communications with their—

Mr. Randy Hillier: I understand that there have been quite substantial increases in the premiums or taxes, whichever way you want to frame it, once again, over the last period of time over and above what would be normally expected.

I guess that leads into the next question on these private career colleges: How many private career colleges have had their licence or registration revoked by the ministry in the last year?

Ms. Nancy Naylor: We have revoked just one PCC registration but we have taken enforcement action against a number of PCCs. In some cases, they are unregistered private career colleges. We have issued some form of enforcement action to over 100 and some form of financial penalty to 92.

Mr. Randy Hillier: So financial penalties to 92, and over 100 in total that there has been some level of enforcement?

Ms. Nancy Naylor: Yes. We've taken steps to stop 136 unregistered PCCs. A lot of our enforcement actions do relate to businesses that are operating or offering courses at a level of tuition or at a duration of a course that would bring them within the umbrella of the regulation of the Private Career Colleges Act.

Mr. Randy Hillier: Have most of those firms or institutions since gone on to register and comply with the regulations as a private career college?

Ms. Nancy Naylor: I would say the story is mixed. Some of them basically tell our enforcement officers, "I'm sorry. We had no idea." Their compliance is very quick and we're always happy to help them register and set up shop as a registered private career college, and we're facilitating their program approvals to do that. In some cases, the business or entity that we have contact with isn't interested in pursuing a registered route, so they close up.

Mr. Randy Hillier: Okay. The one licence that was revoked, then, would be the Niagara-on-the-Lake Culinary School, I take it?

Ms. Nancy Naylor: Actually, I don't know if that—we have had enforcement actions against the Niagara culinary institute—

Mr. Randy Hillier: The licence was suspended. It went to tribunal and then the tribunal reinstated the licence. So I'm wondering, are there others in that same position as Niagara culinary school?

Ms. Nancy Naylor: There are a very small number that have proceeded to a hearing at the licence appeals tribunal. In many cases, we reach a settlement with them. Our interest is making sure that students are protected, so we are always open to a settlement on terms that would restore the business to an operating position that meets the needs of students and respects the terms of—

Mr. Randy Hillier: Over the last two or three years, has there been an increase in numbers of private career colleges, or has there been a decrease province-wide?

Ms. Nancy Naylor: I'm sorry, I have some numbers about our current registrations. I can't speak to what the history is, but we could get you that information.

Mr. Randy Hillier: I'd like to see how we're trending on this. Are we increasing? Of course, we've heard from the government, from the minister, about the value of private career colleges and how they need to recognize the great services that they provide to people.

This Niagara culinary school, of course, is a very—this story raises significant concerns to all of us when the superintendent of private career colleges revokes a licence; it's then appealed to a tribunal. Of course, the business is destroyed as soon as the licence is revoked. That is a devastating and irreparable action on any business but especially a private college. The tribunal, of course, found—well, I'll read it. "The tribunal is satisfied that there is no reason to be concerned about student safety.... The tribunal is also satisfied that the current students are receiving the training for which they contracted."

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Even the two students who did make a complaint described the college as very involved in the welfare of the students. Finally, "Accordingly, the tribunal orders the immediate suspension to be lifted" for Niagara-on-the-Lake Culinary School.

As I said, irreparable damage has been done to that private career college, and the tribunal, on appeal, realized that there were no grounds to do so. Even though the superintendent had the authority to do so, there were no grounds.

What remedies have you put in place to ensure that this does not happen again, where the superintendent revokes a licence where there truly were very little grounds or no grounds to do so in the first place?

Hon. John Milloy: If I can jump in, I think, Mr. Hillier, those individuals who dealt with the case might disagree with the premise of what you've said.

Mr. Randy Hillier: I have no doubt that they would disagree.

Hon. John Milloy: I have to apologize. Allan Scott, who is the superintendent of private career colleges, has been delayed. He's one of the officials who has been asked to accompany me here. I don't know if there's a way that we could put some of the PCC questions—he's supposed to be here, the deputy tells me, momentarily. That might be a better way to proceed. I apologize. I don't know—

Mr. Randy Hillier: No, I certainly don't mind going on to some other subjects, if Allan Scott will be here later today, or we can extend the length of time for the committee—

The Chair (Mr. Garfield Dunlop): Try to use this 20 minutes.

Mr. Randy Hillier: I'll go on to this question: We know that there is a desire for private career college activities to be recognized as equivalent to community college programs. The apprenticeship programs are a good example of this. We have a number of private colleges that are doing pre-apprenticeship training. Once they train those people to a high level, to an industry standard, to help them get recognized as apprentices, they still have to go back into the community colleges afterwards, in their first term of the apprenticeship, to repeat the same training that they've already received in the private career colleges.

I know a number of these career colleges have made applications to MTCU that their programs are recognized as equivalent. Can you tell me how many applications you have received and how many you have approved for equivalencies?

Hon. John Milloy: Sure. Information of that nature we'll provide. As you know, the common practice here with technical questions like that—we can get you that data, but we could also talk a little bit. As you know, there is a system where an institution can become a TDA for apprenticeship. Certainly, if you'd like, I can ask, through the deputy, the deputy or an official to talk about the criteria that a TDA would have to meet so that they could provide the classroom portion of apprenticeship training. Would that be helpful to you? You asked for very specific numbers about applications—

Mr. Randy Hillier: Yeah. I know something that you've spoken about, that your ministry has spoken about, is recognizing those equivalencies, and I want to see just how we're making out in that regard, because my understanding is that there has been a substantial number of applications made for MTCU to recognize that equivalency, but none have been approved—none at all—on the apprenticeship side. So that's what I would like to see, because there is a huge cost to society—not only to the individual, but a huge cost to society—when people have to repeat the same activities but not gain any greater outcome.

For a pre-apprentice who does all his training, pays his tuition and is hired as an apprentice, to then have to go back to community college is redundant if the level of training is the same in the pre-apprenticeship program in the private career college. That's why I want to see just how many applications have been received, how many have been deemed equivalent and what justification is being used if there haven't been a number of highly positive responses on it.

Hon. John Milloy: As you're aware, decisions about a TDA are not made at the level of minister, they're made within the ministry. I'm just conferring with the deputy, whether the deputy or one of the officials can come

forward and speak a bit about the TDA applications that have come in and provide you with as much information as we can. Deputy?

Ms. Deborah Newman: Thank you, Minister.

Mr. Hillier, we don't have the actual numbers here but we will endeavour to get back to you on that. If it would be helpful, we can certainly outline the process, the criteria and so on.

Mr. Randy Hillier: I'm sure the process is fair, reasonable and legitimate. What I'm looking at is, is the outcome fair, reasonable and legitimate? We know the process will be—you'll have your criteria. I want to see what that outcome is because we see that it appears there's a significant disadvantage to these private career colleges competing in the marketplace and a huge cost, an additional burden, for students and for society. Everybody who goes into that apprenticeship program in the community college and gets the schooling redone—we are paying that institution, those professors. We're also often paying unemployment insurance, and paying the cost of the program. And there's a cost to the employers, as well, for lost time for those apprentices.

Hon. John Milloy: Although, Mr. Hillier, in fairness—I understand the point you're making—to become an apprentice you need to participate in an approved program. If a student decides to pursue a course related to a particular trade which is not an approved program, that student has that right to do it but that student cannot at the end expect it to be approved. If they have to then go into an approved program—

Mr. Randy Hillier: No, no, you're missing the point altogether, Minister. I went through the apprenticeship program so I understand the apprenticeship program very well.

An individual who goes to recognized pre-apprenticeship training in a private career college—they're providing that level of education and practical experience to get that person into the apprenticeship program. Many of these colleges have applied to your ministry for recognition that their program is equivalent to the first-year education component delivered by the community colleges, right? They haven't been approved. The ones that I've talked to have not been approved, even though all the evidence suggests that they are delivering a curriculum equal to the community college. So we're making that apprentice redo that first-year component of his education, after he's paid for it privately and after it's been delivered.

Those private career colleges have asked your ministry to recognize their training program and they have not heard back what they have to do in order to have their program recognized as equivalent. They're not getting any response back from your ministry about what they need to do in order to have equivalency established.

The Chair (Mr. Garfield Dunlop): We've got to clean this up in the next 30 or 40 seconds and then go to the next round. Minister, do you—

Hon. John Milloy: I go back to it. As I say, part of what Mr. Hillier is saying is his opinion. We have a

process in place. If you want to be a TDA, you come forward, you apply. If the application is not approved, then you're not a TDA.

Mr. Randy Hillier: But they're not being told what they need to do.

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Hon. John Milloy: I know, but first you're telling us that they've met all the criteria, in your opinion, but they haven't in the ministry's opinion.

We will get you the information about the criteria and the applications that come forward. To be very honest with you, if you want to bring us specific cases, we're always happy to follow up and make sure that the sort of feedback they want takes place.

The Chair (Mr. Garfield Dunlop): Okay. That's all we've got in this 20 minutes. Thank you.

I will now go to the third party. Mr. Marchese.

Mr. Rosario Marchese: Minister, a couple of years back, part-time college professors were trying to organize themselves into a union—and support employees, of course. It was the only place in Canada I'm aware of where they couldn't organize to have a union. There was a charter challenge that you would have faced eventually on that matter. International labour organizations have written, saying that it was discriminatory that Ontario was doing that. We asked you a couple of questions on the matter.

It took them, in essence, about two long years to try to persuade the government to pass legislation that would allow them to organize, and finally, you did. In October 2008, your government amended the Colleges Collective Bargaining Act to enable part-time college academic and support employees to organize. You were proud of that legislation, I'm assuming, correct?

Hon. John Milloy: Very proud of it, and I appreciated your support.

Mr. Rosario Marchese: I was happy to give the support.

My sense is that you probably would know the cost that colleges would incur, should they be able to organize into a union. Do you have estimates of the cost that they might incur, should they be able to organize?

Hon. John Milloy: Our relationship with colleges—they are mature organizations. I think it wasn't actually with you, Mr. Marchese, it was with Mr. Wilson yesterday—we spoke about the fact that they received operating funding, and through that operating funding, they managed the payments that they needed to make for expenses that came forward, including the expense of staff and then the expense of any increases, obviously, notwithstanding the fact that we're in a two-year freeze situation, but in general. They do it, so we do not have a pay envelope or a pay item that goes to colleges that says, "This is for money."

Mr. Rosario Marchese: So you didn't actually budget any kind of money for that prospective increase?

Hon. John Milloy: Well, we included, as you know, the \$310 million in the budget for the growth.

Mr. Rosario Marchese: I understand that, but that's not for the potential unionization of the support staff and college teachers. You didn't budget a certain amount of money that would have to be paid, should they unionize, is that correct? Do you have any estimates at all?

Hon. John Milloy: As I said, we work with the sector. Overall, I can tell you that operating grants to the college sector have increased substantially. We talked about that. They increase every year. They increase on a per-student basis. We obviously looked at both sides, to unions and—in this case, if you're talking about a hypothetical of a union that came in for the part-time workers as a result of the legislation, we looked for a reasonable agreement between the two. As I say, we're now in a new climate.

Mr. Rosario Marchese: Sure. You're quite right, but I wasn't asking that. I was just saying that once they unionize, the colleges would incur a cost, and I wondered whether you or your staff here—I welcome them here today as well—budgeted a certain amount of money. Do you have a sense of what that number would be?

Hon. John Milloy: As I say, the last budget speaks for itself in terms of the increases to the sector.

Mr. Rosario Marchese: I understand. That's not the question I was asking. This is the kind of problem we have in question period, where the opposition has a question, the government gives you the answer they want, and you never get an answer. But I understand; I do.

It would be, by the way, a sizable increase. I haven't worked it out in my own mind, because there's only me—we have a very limited staff. I wish I had the level of support you have; I'm sure we would be able to work it out in a day. But it would be sizable, I suspect, because we're talking about a whole lot of part-time college professors and support staff.

I personally know that colleges are worried, because I met with a couple of them. They smiled when I said, "Look, I know you don't want them to organize." They smile, because they can't say, "Of course we do," when of course they can't. They are worried because of the funding issues over the years where they've had a tremendous increase of student enrolment but a disproportionate amount of money going to the colleges, in spite of all the blah, blah, blah about how much money you've given them—

Hon. John Milloy: Well, hold on. Blah, blah, blah—

Mr. Rosario Marchese: But I'm making a statement; I didn't ask a question in that regard.

Hon. John Milloy: I know. Okay.

Mr. Rosario Marchese: I'm sure you're aware that although part-time academic and support employees in Ontario colleges have voted on unionization, those votes have not been counted. They are sealed in ballot boxes. We're talking about October 2008 when this legislation passed. It's been a while. That's because the College Employer Council invoked section 30(1) of the Colleges Collective Bargaining Act. They argued that the union had not received enough signed membership cards to go ahead with the vote. The act states that 35% of indivi-

duals in the bargaining unit—in other words, employees who would be represented by the union, were it successfully organized—must sign cards.

The employee organization, OPSEU, had garnered over 10,000 memberships, putting it well above the 35% threshold, but the College Employer Council argued that any person who had worked part-time at a college for a single day in the year before the application was filed would have to be considered a member in the bargaining unit. Does that seem reasonable to you?

Hon. John Milloy: Well, Mr. Marchese, you are an individual of great experience, and you know that this issue is in front of the Ontario Labour Relations Board. Ministers who comment on issues before the Ontario Labour Relations Board do so, I think, with—it would be very imprudent; it would be inappropriate. I was going to make a joke, but I won't. Well, I was going to say, they are possibly not ministers any longer.

I'm not going to comment on something that's before the Ontario Labour Relations Board. There's a process in place, and we'll let them do it. Technically, and I'm not trying to be difficult here, the Ontario Labour Relations Board process etc. falls, of course, under my colleague the Minister of Labour. But I cannot, as you know, as a minister comment on what's before the board.

Mr. Rosario Marchese: Well, let me comment for you: This is blatant obstructionism. They are undermining your bill. In my view, they're undermining you fine Liberals that passed that fine law, which all of you were proud of and that I supported. Is that fair to some of you guys on the other side? Because the minister can't speak. Is it fair?

Mr. Ted McMeekin: It was appreciated that you supported it, for sure.

Mr. Rosario Marchese: Right, and that's why I'm arguing, on behalf of those who can't speak, that it's blatant obstructionism. It deliberately, wilfully is undermining your bill. The council is trying to take advantage of a loophole by submitting impossibly long lists of names. These names that they're submitting aren't people with regular part-time work at the colleges who would actually participate in the union. It's just a beautiful strategy. I just love it. If I was on the other side, I'd say, "This is great." Of course, the colleges are like a pig in—hmm, you know what I mean. And the lawyers are having a great deal of fun with this because there's a lot of pecunia to be made, as you can imagine.

The people that they're submitting by way of names, which these poor union folk have to verify, are students who worked for a few hours, in some cases—bartenders hired for a single event. We're talking about hundreds of thousands of people that are now dispersed, God bless, all over the country and that cannot be tracked down and contacted. It's impossible to argue that this is a fair interpretation of the act, but that's what they're doing, and it's legal. It's beautiful; it's legal. They're just using a loophole in the bill that you may not have been aware of. It's quite possible you weren't aware of it, or you weren't aware of the unintended consequences of such a section

that would allow the colleges to undermine your bill. But it's happening. These unions have to verify thousands and thousands of names. How could you do it? October, 2008—they're still at it, two years later.

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I couldn't be proud of a bill that I passed that colleges are undermining. I couldn't. The College Employer Council is, in essence, working against the Premier's stated objective of allowing these part-time workers their constitutional rights to freedom of association. In my mind, it's very clear. In order to make their case, the council has retained the services of Hicks Morley—well known. Huge amounts of time and energy are going into arguing whether certain names should be included, which is exactly what the council wants to forestall, the counting of the votes.

I was going to ask you, do you think it's appropriate that public money is being used to hire high-priced lawyers to fight against the organization of these workers? You can't comment on that, right?

Hon. John Milloy: Well, as I said—I mean, Mr. Marchese, you were a minister. You know there are things ministers don't comment about. The Ontario Labour Relations Board is like a court. It's a matter before the court and I will let them deal with it. The arguments and points that are being made are part of what I imagine is a dialogue before the board, and the board will make a decision.

Mr. Rosario Marchese: I just think it's a huge misuse of public dollars. It's almost worse than hiring lobbyists. You've introduced a bill to which there are loopholes once again that will allow, at least in the case that you and I represent, colleges and universities to hire lobbyists by using tuition fees, which is their money, not yours. So there's a loophole in that bill that will allow lobbyists to continue to lobby you and your staff and the countless staff that are here, whenever they want. So the bill you introduced will have no effect, except in part, in terms of what you were trying to get and in terms of what the Auditor General was getting at.

It is a flagrant misuse of our money, yours and mine, that the colleges should hire these high-paid lawyers—Hicks Morley—to prevent the unionization of those college teachers and support staff, money that could be used to retrain unemployed workers and improve access, as we were talking about yesterday, that OCUFA speaks very clearly about in terms of the decline in the quality of our post-secondary education system.

The Ontario Labour Relations Board has sided with the definition put forward by Hicks Morley and the College Employer Council. We believe, as does OPSEU, that this decision creates overwhelming and prejudicial barriers to the democratic right of employees to choose whether or not they wish to be unionized.

As I said, these voters have already voted. Their votes are sealed in ballot boxes, and all the union wants is for these votes to be counted. That's all they want. They collected 10,000 signatures—sealed, ready to be opened up—and they can't be counted two years later.

I'm not sure that you are aware of this, but I suspect you are. I think there's a way out, and my sense is that you can comment on this. You have the power to end this ugly and anti-democratic legal battle. You could follow through on the stated intention of your Premier and your own intentions and end the waste of taxpayers' money. All you need to do is make the following order: Pursuant to the minister's authority under section 4(1) and section 5(1) of the Ontario Colleges of Applied Arts and Technology Act, 2002, "the minister orders the College Employer Council to withdraw their objections under section 31 of the Colleges Collective Bargaining Act, 2008, to the two applications for certification filed by the Ontario Public Service Employees Union."

This order would simply allow the ballots to be counted. The union is quite willing to rely on the results of those votes to determine whether or not certification is successful. We wonder whether or not you have considered this section that would allow those votes to be counted, those envelopes to be opened; wonder whether or not you're willing to consider such a section that would end this dispute that has lasted for two long years; and wonder whether or not you think you want to comment on this particular use of the section.

Hon. John Milloy: Again, Mr. Marchese, you may not like the answer, but my sense of this entire line of questioning and the thoughts you've shared is that it's about a matter before the Ontario Labour Relations Board. It would be inappropriate for me as a minister, particularly the Minister of Training, Colleges and Universities, to comment on it.

Mr. Rosario Marchese: I really do find it distressing, sad and so much more. I supported your bill. You were proud of your bill, so I asked you. Your Premier was proud to have allowed these college professors and support staff the ability to unionize. We all felt this bill would allow them to do that. OPSEU went out and collected 10,000 signatures, and they really believed that that was all they needed to do. In my view, that is more than enough to get the 35% that they need to be able to unionize—more than enough. To allow the colleges, by hiring well-paid lawyers, to find a loophole that says, "No, you've got to consult; you've got to get every possible worker who worked in that previous year, any possible person who worked for one day—you've got to reach them. You've got to ask them whether they want to be able to join the union," is crazy.

Let me get my other glasses so I can see you guys. It's crazy. Isn't it crazy? I just want a few heads to do this. Isn't it crazy?

Mr. Randy Hillier: It is crazy, but expected.

The Chair (Mr. Garfield Dunlop): You've got three minutes in this round, by the way.

Mr. Rosario Marchese: I just think it's just a flagrant abuse—it's an attack on your bill. They're using a loophole to permit colleges not to unionize, and I know why they're doing it. They're doing it—and they tell me privately, because none of them dare say it publicly; they're just not getting enough financial support. Should

they unionize, it will cost them millions of dollars they do not have, and they would then have to take money from underfunded programs to be able to allow these people to have the right to unionize and have the right to benefits that they're entitled to.

At the moment, these people, many of them who work plenty of hours and do, in many cases, more work than full-time professors, I dare say, in some cases—they're just being used and abused. I just think it's unfair. Unionization would allow them to have the benefits that they're entitled to for the work that they do. For two long years, they've been trying to get it, and they can't. I just think it's a flagrant abuse of the law; it's a flagrant abuse of a loophole that allows them to do this. For the government to sit by, for two long years, and say, "It's got nothing to do with me; it's between them," is not responsible. It's an easy way out. It allows you not to have to worry about how the colleges are going to fund for your desire for the college teachers to be able to unionize. You allowed them to unionize and colleges prevent them from unionizing, and you and they are quite comfortable with that. You hide behind the cover of saying, "It's not my problem. They're fighting this out. It's their problem. The bill is quite clear."

The bill is not as clear as you had intended. They're using the loophole to be able to prevent unionization. I decry it. I'm sad, and a bit disappointed by your response and your inability as a government to deal with this and deal with this quickly.

1630

The Chair (Mr. Garfield Dunlop): Okay. That pretty well wraps up your time in that rotation. We'll go to the government members. You have 20 minutes, Mr. McMeekin.

Mr. Ted McMeekin: I want to just say at the outset that I think Mr. Marchese is amazingly well prepared, notwithstanding his alleged lack of access to resources. He certainly always impresses me with not only his concerns, but the depth of his concerns. In the spirit of wanting to move things forward, I just want to put that on the record for my good friend. I know his heart is in this very much and his passion shows.

In any event, Minister, I wanted to just follow up a little bit. You may recall that the other day I referenced an initiative that we've taken in Hamilton, in my riding, to put together a post-secondary student advisory committee. We have 20 students from the two universities and the one college that are in my riding's catchment area with whom I meet about four to six times a year. I spend a lot of time on campus talking to students. Part of my commitment to the students there is not only to speak to the student council at least twice a year, but also to spend a day a month on campus. I often do that in the cafeteria. I go from table to table and just talk to young people about where they're at and how they feel about the education they're getting.

I hear from time to time the kinds of issues that get raised. They relate to, occasionally, class size. There are some classes that are big; some of the challenges that

they have around student assistance and some acknowledgement, by the way, about the government's move to be more generous on the OSAP front.

But when all's stripped away, one of the things that comes up over and over again at its generic base relates to quality of education and quality assurance. I wonder if you could just walk us through some of the several things that the ministry does to satisfy itself that the quality of education that our young people—all people—who are engaged in post-secondary education desire and is necessary in order for them to graduate, go out and get the jobs they want. I know you quoted some figures the other day about the very high percentage of students who, within a very short period of time find employment—not only employment; in most instances, employment within the scope of the studies that they've been taking.

Can you tell the committee and those who may be plugged in to this estimates session—because when all is said and done, it's really about when the rubber hits the road, it's really about quality education. What is the ministry doing to ensure that the students in the system are getting a good-quality education? How do we relate to the partners around that? I think that's something that's critically important. I say that based on thousands of conversations with post-secondary students.

Hon. John Milloy: Thank you very much. The question you raise is a very important question. Your basic question was, how do we look at quality, but it leads to the broader question, which is a lot of academic debate. In fact, there are reports and studies that are being done all the time as to how you measure quality in the post-secondary system.

There are some obviously positive signs that we have here in the province of Ontario. If you want to start at the most basic level: the fact that we have such tremendous growth in the system, such—if you want to call it—popularity in the system. The fact that we have 140,000 more students in our colleges and universities I think sends a very positive sign of what's happening. The fact that we have, I believe, 37,000 or even a little bit more than that international students who are coming to Ontario's colleges and universities; the fact that we are ranked in international rankings as boasting some of the best universities and colleges in the world; the fact that many of our faculty are winning awards, are part of international consortiums that are undertaking research and other initiatives: These are all key findings which are very positive signs, I think, in terms of—if you want to call it the retail side—a student who's looking around and wondering whether to study in Ontario.

We have, with each institution, a multi-year accountability agreement which asks them to report on a variety of factors, a variety of activities that are happening at their campus, and also to take a look at certain benchmarks that they're making. We also undertake a number of studies and surveys of students.

You referenced some of the data that we have; it's on that that we start to drill down. We had a chance yesterday I think, to talk a little bit about students and the irony

that we live sometimes in a world, those of us who work on the education beat—and I imagine my colleague the Minister of Education would agree as well—where you can talk a lot about education, you can talk about it for hours, and never get down to the student. Yet at the end of the day, the student is why we're there, notwithstanding, of course, the research that goes on there.

Some of the studies and surveys that we've done have come up with, I think, some very good figures to demonstrate the quality issue, the fact that students are having a meaningful education at the colleges and universities. In 2008-09, about 79% of university undergraduates said they were satisfied with their post-secondary education, and 78% of undergraduates agreed that, given the option to start again, they would choose the university they are now attending. Another area, of course, is universities' graduation rates. University graduation rates between 2002-03 and 2008-09 have increased from 73% to 78%.

There are issues around employment, the degree to which students can get jobs right away. I'm just going to look them up or look to the deputy to get all those good figures. Here we have them. Actually, I can give you the college rates: 65% of college students are graduating, up from 57% in 2002. Even during a challenging market, almost 85% of the class of 2009 found employment within six months. Of students who graduated university in 2006, 94% were employed within six months of graduation, 96% were employed within two years, and 85% were employed in careers related to their program of study. I think I referenced this already: 79% of university undergraduates rate their educational experience as good to excellent.

These are the types of survey results that come forward which tell us that we're on the right track, but also tell us that there's work to be done. We can look, obviously, at the college graduation rate and we can be very pleased that we've gone from 57% to 65%, but that still leaves 35% of students who we need to worry about. We can look at, again, the university rate and say, "Well, there's 20% who aren't completing."

There are a couple of issues. One is the measurements that take place. As we move forward with a new round of multi-year accountability agreements, we want to make sure that we have the proper measurements in place.

As a ministry, we're moving ahead with the Ontario educational number, which will allow us to track students. There's always that fear that a student from Humber ends up at U of T and from there moves to Western and then to Dalhousie—what have you. Are we properly tracking that student? Is that student being shown on the books as somehow dropping out when in fact they've just changed programs or changed systems? Part of it is getting the measurement. Part of it is also asking our colleges and universities to do more to support students to make sure that they are getting the support through so that we can increase the graduation rates.

1640

Something else that we're looking at is how do we go beyond some of these issues around quality and look at

issues around teaching and around what is happening within the classroom? Certainly, as I say, it's an academic discussion in terms of those who look at pedagogical issues in our universities and colleges, but there is also some practical work to be done. I have certainly talked to student groups about it.

I mentioned the president of the Ontario Undergraduate Student Alliance, who—actually, it was very interesting; I mentioned this yesterday with Mr. Marchese—was dissatisfied with some of the work that has been done that simply talks about the class size, and the current president said that “it depends less on class size, and more on the practices professors use.” This was in Maclean's magazine. “She is referring to ‘active learning’ versus ‘passive learning’ and says even in a class of 250, a professor, properly trained, could be effective.”

It's actually interesting. I never talked about this publicly, but one day there was an article about a large class size, so I made arrangements—it took a week or two—to go over to U of T. I went and sat through a first-year lecture on international relations; I found something that was in my field. I sat in the big lecture hall over there, in the convocation theatre, with 500 or 600 students. I was the only one in a suit. I sat through a lecture, and the professor embarrassed me by calling me out at a certain point and saying I was there, and I had a chance to address the students.

But it did give me a sense of that large classroom, but it also gave me a sense of some of the creativity that exists. The professor in question was able to use multimedia in terms of presentations behind her. Every student, not me, but every student had a clicker in their hand, which was hooked up to a computer, so she was able to survey the class on certain questions about international relations—sort of the political philosophy behind international relations. There was a tremendous amount of engagement that went on amongst the students, and it certainly seemed to be a very popular and well-attended class.

So some of these issues—we're drilling down and we're going to drill down more—

Mr. Ted McMeekin: A little bit of management by walking around, it sounds like. You were right there.

Hon. John Milloy: I was right there. As I say, my cover was blown, though I'm sure my suit gave me away.

I did have an opportunity to speak to the students, and they seemed quite interested that I was there to just see first-hand. That was a full classroom experience, but obviously, as I travel around, I have the opportunity to meet with students. I've sat in on classes before, but always in a formal way, where I'll sit in for 10 or 15 minutes, but this was an opportunity to understand first-hand what's going on.

That does raise the whole issue of new technologies and the fact that so much of the teaching can be supplemented. There's the issue of online teaching—which we may want to get into in the course of these estimates—in

the purest sense of, “Let's take a course online,” but there are also the online supports that can work in there.

We're looking at how students are doing. Do students have access? Are students graduating? Are they getting jobs? Are employers satisfied? I've only given you some of the stats. There are other surveys, too, which support this. But now we want to take it to the next level and find out how we can provide that measurement in some areas where we've always been a bit subjective, and maybe there are ways we can measure it around teaching and other supports.

Mr. Ted McMeekin: Thank you very much, Minister. I applaud your getting to the classroom. I think that's a great idea. I may do that back in Hamilton and see how that works, and engage some of the students.

You mentioned the online learning. As I understand it, the government is putting a bit more focus on the potential use of technology and opening up related opportunities for students to use perhaps a different mode to acquire the information, knowledge and skills that they need. Can you comment a little bit about the government initiatives with respect to online learning?

Hon. John Milloy: Sure. It's interesting—I'm about to go down memory lane, Mr. Chair, and I just want to check on the time before we—

The Chair (Mr. Garfield Dunlop): You've got five minutes left in this round.

Hon. John Milloy: Okay, well, I'll try to be quick on memory lane. I remember I took a course at university via—it was a video course, where you went to the library every week and you saw a videotape of a lecture that was given, and they took away the videotape at the end of the week so you had to show up; you couldn't watch all 13 in one day and then write the exam.

When I look at that experience versus the experience of the students that I meet, where new technologies are such a huge part of their lives in every aspect—I mean, we have to realize as a jurisdiction that with the pace of change around technology, with the interest of young people in new technology, we have to be ahead of the game. We have to make sure that these new technologies are being used and that students have access to them. Students now are telling me that their ability to interface through the computer, to take a course through the computer, is now second nature, and they're demanding that ability.

On the one hand, there's a demand and, if you want to call it this, an ability that didn't exist before to use the technology and adapt to the technology. The flipside, of course, are the benefits to society and to the institutions themselves. Society in the sense—we all think of the single mom who tucks in her kids at 9 o'clock at night and wants to pursue a distance course from her local university or college. They can go online. They can go online at 2 in the morning or 10 o'clock at night when the kids have gone to bed and start to work their way through the courses that are there. Obviously, for the institutions themselves, it allows greater flexibility in managing the courses and allowing students to access them.

There's a lot that's going on in the campuses, and when I speak about this—and I have been asked, as I travel around, by both members of the media and members of the public—I say that, first of all, we've got to recognize that our universities and—I'm going to single them out in particular—our colleges have done a great deal of work. The colleges have come together in a consortium where they share classes and recognize classes. Universities have developed a capacity and continue to develop a capacity. In many cases, you can now take an entire degree online at some institutions.

What we want to do is take it to the next level. Ontario, as I say, wants to be at the forefront. We want to recognize this as the wave of the future. I always comment how strange it is for me to visit libraries and institutions—there are no books anymore. We can't be the fuddy-duddy; we have to be the future.

If I can speak geographically, I come from one of the high-tech capitals of this country, Waterloo region. We have the wherewithal to take it all to the next level. A lot of that involves co-operation and collaboration between institutions so that the student who's at Western can easily access a course online at Waterloo and that there aren't the hoops to go through.

What we're doing is we're working very closely with the institutions to see how we can build that collaboration, how we can take this system to the next level and how we can put it under the umbrella of an online institute. That co-operative work, that back and forth, is going on.

How it will evolve: We'll be reporting back in due course. We want to move quickly. I mean, this is technology; technology moves quickly. But we certainly do want to build up that capacity. We have to. The rest of the world is looking at this same issue right now, and Ontario, as I say, has a chance to be a leader. We have the technological know-how. We have outstanding institutions. We have a real interest. And, of course, because it's online, if we can get it right here in Ontario, it also becomes exportable, where students around the world can access what's happening in Ontario.

It benefits the universities and colleges in terms of the range of programming, in terms of the fact that they don't—if 1,000 students are dialing in online, they're not going to be at that big lecture hall. In terms of space utilization, it provides benefits across the way.

We don't have a choice, and we'd be sticking our head in the sand if we weren't taking this on as a real priority as a government.

Mr. Ted McMeekin: Sounds like some very exciting initiatives there. With that, I take it our time is up.

The Chair (Mr. Garfield Dunlop): Yeah, just a few seconds left.

Mr. Ted McMeekin: I want to say, Minister, that that generation, the high-tech highway—I'm one that's often looking for the off-ramp. It's just one of those things. It's something I've been wanting to do for a bit—to get back to an opportunity to actually pick up some of those skills,

because students without them are just going to have a lot more difficult time coping, aren't they?

1650

Thank you for those answers, particularly the reference to quality. I want to keep whatever questions I'm privileged to have the opportunity to ask here very astute and centred.

The Chair (Mr. Garfield Dunlop): Thank you very much.

Hon. John Milloy: Mr. Chair, can I just add that Allan Scott is here? Mr. Hillier, I'll just leave that with you.

The Chair (Mr. Garfield Dunlop): Mr. Hillier, it's your turn—20 minutes.

Mr. Randy Hillier: Minister, let me read a little bit of an email that I received from an owner of a private career college: “While millions of dollars have already been invested in the TCAF, the expanded application of funds has many of us sharing the opinion that the fund's low balance will drive the actuarial calculations to amounts that will force PCCs to close, which worsens an already bad situation.”

They have visions of a juggernaut that will continue to close campuses.

“Private career colleges cannot even get an accounting of the fund. All meetings and discussions are subject to rigid confidentiality agreements that mean sector representatives cannot advise the sector of the committee's actions or its discussions. We pay, the TCU spends and we're left in the dark.”

He doesn't want me to use his name or the name of the college because he's fearful that what happened to Niagara-on-the-Lake Culinary School may happen to him if he raises these concerns.

So my first question is, Minister, what do you think of the situation where your constituents, your stakeholders, are fearful of bringing forward their concerns, fearful of retribution, fearful of losing their licence? Does that cause you any concern?

Hon. John Milloy: I regret that they feel that way. There obviously is no truth to the fact that the people who bring forward concerns would be open to any retribution. I regret the fact that they feel that way. That's not the situation.

Mr. Randy Hillier: Well, it is the situation for them. It may not be your perception—

Hon. John Milloy: It's not the reality.

Mr. Randy Hillier: It's their reality. They're fearful of coming forward. They're fearful because your bureaucracy has so much authority over them that they could be put out of business arbitrarily, and we've seen it exercised. They're fearful. They're scared of their own government. It sends shivers down my back when businesses in this province are fearful of their own government.

Hon. John Milloy: I'm happy to respond. I think we've got to divide things up, and I think we have to be very, very careful here, Mr. Hillier. I cannot help—in fact, I can regret the fact that someone feels frightened or is fearful of raising concerns. As I say, I regret that.

The fact is, what you said is that they should be fearful that retribution—perhaps I misunderstood you. What I say is, that’s a very serious thing to say, and I would like to see evidence of that, because I know of no evidence that a private career college is not treated fairly and that the rules are not applied in a fair and equitable manner across the board. If a private career college fears that, as I say, I regret that. Maybe we need to do some outreach to tell them that they don’t have anything to fear.

I also disagree very strongly with your view that we could just arbitrarily close them down. The fact is, Mr. Hillier, there are policies and rules and practices in place which, as I say, apply a framework to the system, and they’re applied in a just and equitable way. If you have evidence to the contrary, please provide it and we will obviously follow up, because that’s very serious.

But let’s divide the two—

Mr. Randy Hillier: Absolutely. Okay. I’m glad you mentioned that because, in my first round of questioning, I asked you about the Niagara culinary school. It had its licence suspended. It was out of business. It then had to appeal that to a tribunal.

Minister, you know as well as I do that as soon as that licence is suspended, for all intents and purposes, that business is destroyed. The students are moved out. All the years of working and building up a business’s name and reputation are destroyed once its licence has been revoked. Then it has to go through the process to re-establish when it ought not have happened or to see the truth and the facts behind that suspension.

I read to you a few of the tribunal’s statements. The tribunal reinstated the licence, but by that time it was too late. The business is essentially destroyed. That’s what I mean by “arbitrary.”

In my first round of questioning, I asked you: Are we putting in any checks and balances to prevent—because this is somebody’s livelihood, somebody who has invested their earnings, their savings and has spent years building up a business, building up a reputation as a private career college. To have that all taken away by a government that they believe is there to assist and facilitate them is absolutely abhorrent—that’s not what governments are constructed to do: to put people out of business. Of course, there are many roles of government, but here the tribunal ruled in favour.

I’m asking: What checks and balances is MTCU putting in place to prevent this serious tragedy from re-happening?

Hon. John Milloy: As I say, your characterization of events—I imagine there are other characterizations of them. I apologized earlier that Allan Scott, the superintendent of PCCs, was delayed. He’s here now, and, with your permission, through the deputy, if we could ask him to comment on your question.

Mr. Allan Scott: Sure. My name is Allan Scott. I’m the superintendent of private career colleges. I apologize for not being here earlier, sir.

With respect to the school you’ve mentioned, the Licence Appeal Tribunal made an interim order allowing

the school to reopen after the suspension, subject to a significant number of rather serious conditions that were designed to address what it found were compliance issues at the school. Among those included a finding, I believe, that was not seriously in dispute that there was a program called an international chef diploma program—

Mr. Randy Hillier: I don’t want to get into the details. What I’m asking for is: Here, the tribunal—and I read a number of the findings where the tribunal found that it was appropriate to reinstate the licence after being suspended.

What checks and balances are we putting in place—because this business is now destroyed. Those 40-some students had to go elsewhere. Obviously that TCAF fund was used, I would imagine, to assist those students, but what checks are we putting on there so that we don’t destroy somebody’s business, destroy and disrupt and interfere with all those students without truly significant evidence that that person ought not to be in business in this province?

The Chair (Mr. Garfield Dunlop): Are you asking for interim warnings or something like that?

Hon. John Milloy: If I can jump in: I’m a little confused, Mr. Hillier, because we had a case with the school in the Niagara area where there were some serious complaints that were brought forward. It was highlighted in the media. The rules/regulations/practices were applied in that situation, and it ended up before the tribunal.

Mr. Scott is anxious, I think, to give you a bit of background on it, and you say you don’t want the background. You’re saying that it was arbitrary and that it wasn’t done properly.

Mr. Randy Hillier: I have the decision here in front of me, Minister. What I’m asking for is: What checks and balances—if there are no checks and balances being put in place, then just tell me so. Are there any checks and balances being put in place to prevent this sort of thing from happening again?

Hon. John Milloy: As I say, there were serious concerns raised about the school in Niagara. Action was taken, and there was a tribunal. The tribunal itself is a check and balance—

Mr. Randy Hillier: It said “reinstate.” That’s what the tribunal said.

Hon. John Milloy: It’s a check and balance. I’m just saying that I don’t know how you can have it both ways in your line of questioning. Either Mr. Scott can give you some background of what happened, or you said you don’t want to hear about it. You’re suggesting—

Mr. Randy Hillier: So there are no checks and balances?

1700

Hon. John Milloy: No, you are suggesting that TCU acted inappropriately.

Mr. Randy Hillier: The tribunal said to reinstate the licence.

Hon. John Milloy: Mr. Scott was about to respond to that, and you didn’t let him.

Mr. Randy Hillier: I have the decision here—

Hon. John Milloy: I'm just asking if you would allow Mr. Scott to answer.

Mr. Randy Hillier: I have read the complete decision. It went into all the context. It went into the evidence. I've read you back what the tribunal said, and from the students. I've read you back a number of key components to it.

Regardless, the tribunal said that the licence should go back in and that person can operate again, but you've already destroyed the business. There is no more business there to have a licence. Your first action was the last action for that college. We ought not to use that unless we have significant evidence that it is, indeed, justifiable, not something that is going to be appealed—successfully appealed—to a tribunal.

Hon. John Milloy: But the question that you're posing: The answer is within it. You're asking, "What are the checks and balances?" The first check and balance is the fact that there's a tribunal where an appeal took place—

Mr. Randy Hillier: It's too late, though. That check and balance is too late. It's too late. My question was: What checks and balances are there on the superintendent's authority so that this doesn't happen, so that those licences aren't revoked without a rock-solid, clear-cut case? This is not like getting a fine, Minister, where you can write a cheque and everything is okay. When somebody's livelihood is removed, that's a very, very serious action on the part of government. It's not an action that should be taken lightly. It should not be an action that is not without such grounds that it is defensible in any arena. Clearly, it was not.

Hon. John Milloy: I'm going to turn it over to the deputy, but I would point out that it's also about protecting students, Mr. Hillier.

Mr. Randy Hillier: Absolutely.

Hon. John Milloy: We have literally tens of thousands of students who are in private career colleges. We have students who come from outside of Ontario and outside of Canada to private career colleges. We, with no apologies, have put in a system to protect those students.

The feedback that I've heard from private career colleges, to use a Marcheseism, is "God bless you. Thank you," because we want to get the bad actors out of there. As I say, I wanted to get that on the record, but I'm going to turn it over to the deputy—

Mr. Randy Hillier: But let's go back to my first statement.

Hon. John Milloy: I will turn it over to the deputy to address your—

Mr. Randy Hillier: The first statement is that these colleges are fearful of identifying themselves to the minister who represents their interests. We need to have some serious checks and balances put in place here so that this is not the case. I'll hear from the superintendent—

Hon. John Milloy: Deputy.

Mr. Randy Hillier: —deputy on what we're doing to improve this.

I go along with the member from Trinity–Spadina. He used the words about what's happening in your ministry and what's happening in your sphere of jurisdiction—he talked about "undermining" and "blatant obstruction" and people not daring to say it. It's happening, I think more than just at the—it's also happening in the private career college sector of your ministry.

Hon. John Milloy: It's quite interesting, the take you have on this. I've just gone through a period of time when I had the Ombudsman do a very thorough report. His focus was on student protection. We've had media stories. We've had questions in the Legislature about student protection. You weren't here yesterday; we had a nice chat about how, at the end of the day, this is about students. I'm very proud of the regime that we've brought forward. That is about protecting students. I know the deputy—

Mr. Randy Hillier: Minister, if we don't have any colleges, we won't have any students. That's what my concern is as well. It's not just one. Of course, protect students, but let's also protect that they have an environment to be students in. That appears to be under threat from your ministry, on the private career colleges.

Hon. John Milloy: Mr. Chair, my deputy has been anxious to jump in, so I'm going to—

The Chair (Mr. Garfield Dunlop): Go ahead, Deputy.

Ms. Deborah Newman: Thank you, Minister and Mr. Chair. I guess, Mr. Hillier, in terms of the systems and processes that we have in place, first I'd like to assure you that this is a very, very, very small minority of cases, the case such as the one you've cited, where the ministry feels it necessary, based on significant and extensive evidence, to take this kind of enforcement action.

So this is not taken lightly. The action is taken based on the accumulation of significant evidence that meets a threshold to take action—

Mr. Randy Hillier: Have you read the decision, Deputy?

Ms. Deborah Newman: Yes, I have. In terms of the exercise of the superintendent, I am absolutely confident as the deputy that it's fair and reasonable and exercised in a fair and reasonable way. I am, as deputy, briefed on these cases. There are very, very few; they're in a very small minority.

There is an appeal process available, and it is the tribunal, and they will make the decision that they see fit. The job of the ministry is to ensure that we're providing the kind of oversight to private career colleges that protects students and to exercise the superintendent's discretion in a very fair and reasonable way. As I say, as deputy, I'm fully satisfied that that's the case.

Mr. Randy Hillier: I'm really amazed that, if you've read that decision, you've come to that conclusion. I've read that decision, and there was very little interaction between the MTCU and that college before its licence was indeed suspended—very little interaction. To suspend and really destroy somebody's livelihood and disrupt so many students on hearsay, without providing

an opportunity for more extensive discussion, and recognizing whether those complaints were indeed legitimate—I find it very difficult to believe, Deputy, that you’ve read that and you’ve come to the—

Ms. Deborah Newman: Mr. Hillier, you asked a question about whether we had systems and processes in place, and I’ve answered that. If you want to get into the particulars of this case, I would invite Mr. Scott to respond to those.

Mr. Randy Hillier: But what we can see is that what you have in place, your check and balance, is at a moment in time when it is too late to provide protection to the college—which is also protection to the student. It’s too late. By the time you go to the appeal, that college is already—when we’re talking about the suspension of the licence. If it’s an appeal on a fine or some regulatory matter, dotting the i’s and crossing the t’s, I’ll grant you that that’s a fine system, but when it comes to destroying a business and disrupting all the students who contributed and paid their tuition, that mechanism is not robust, by any means. That mechanism is not acceptable. It doesn’t provide a level of justice for either the students or the college.

The Chair (Mr. Garfield Dunlop): Two minutes left in this round, Mr. Hillier.

Mr. Randy Hillier: Minister, I’d like to go to the College of Trades, which is a new announcement, and there’s some new activity happening there. The College of Trades—I’ll read a little comment here from Mr. Cameron: “What the College of Trades needs to ensure is that everything is transparent and fair. This needs to be a non-political thing. We are here for apprenticeships and not here for our constituent groups.”

We know that Pat Dillon, head of the Working Families Coalition, is now part of the College of Trades, and the same with Colin Heslop from the Canadian Auto Workers, Hugh Laird from the interior systems contractors, Scott Macivor—also a former CEO of the Ontario Construction Secretariat, which was headed up by Pat Dillon. We know that Pat Dillon and Working Families and the unions—these are all union people who are on the College of Trades—provided over \$5 million to your party in campaign support in the last election. It’s certainly pretty clear that the statement that this need not be a political group has been politicized by your appointments to the College of Trades—

The Chair (Mr. Garfield Dunlop): Mr. Hillier, that rounds up this 20 minutes. You’ll have to pick up on it after.

Now to the third party: Mr. Marchese.

1710

Mr. Rosario Marchese: Minister, I touched on the issue of lobbyists 20 minutes ago. You know that we have been decrying the tremendous proliferation of lobbyists in the province and the use of public dollars to hire, and to pay well, a lot of these lobbyists to contact us, particularly you and the Premier and other folk.

What is clear is that you agree that these lobbyists ought not to be lobbying you. The Minister of Health

agrees. The Premier agrees. The auditor pointed out that it’s a flagrant abuse of public dollars. We all agree. Even Mr. Chiarelli, the now minister, said that he supports the government’s so-called crackdown, because lately, apparently, it has spiralled out of control.

Do you agree with Mr. Chiarelli’s assessment that the number of lobbyists from the public sector has increased under the McGuinty government’s watch?

Hon. John Milloy: I don’t have access to particular data. I would say that public institutions—well, in this case, let’s talk universities and colleges, because we’re here for TCU. Their use of lobbyists has gone on under the watch of various governments, including yours, including the Conservatives’, including ours. We’re at a time when dollars are very precious, where this has been—and your party has raised it in the Legislature. The auditor has looked at it. It’s become an issue that needs to be addressed, and we’ve stepped forward to address it.

Mr. Rosario Marchese: By the way, when I was in government, a long time ago, people who had issues and wanted to talk to ministers would come to me directly. I would just put them in touch with the minister or the minister’s staff. It was only later that I found out from this guy that they would pay lobbyists or consultants thousands of dollars to get access to ministers or their staff. I couldn’t believe it. I was so naive, if you can believe that. That people would be paying thousands of dollars just to get a meeting—I just didn’t get that. Here I was, naive me, helping out, because I thought if it was a good idea, why wouldn’t I arrange for a meeting?

There are a whole lot of people making a whole lot of money, just arranging meetings. It’s just unbelievable. That’s a good job. I should get out of this field and make a few dollars. Why not? I was a full-time trustee. I quit as a teacher. I was making \$7,000. I lost a pension, then lost the only other pension, which Mike Harris got rid of. I wanted to strangle the man, I have to tell you. I should get back into the field and do what Harris does and make a whole lot of money consulting—

Hon. John Milloy: Mr. Chair, I think I speak on behalf of the whole committee: We’re happy you’re here, Mr. Marchese.

Mr. Rosario Marchese: I appreciate that.

Hon. John Milloy: But you can’t use that in an election brochure next year.

Mr. Rosario Marchese: I promise not to.

By the way, Mr. Chiarelli was a lobbyist for Algonquin College just before his nomination as a Liberal MPP. Did you ever meet with him, by any chance, in his capacity as a consultant?

Hon. John Milloy: I never met with him alone. As minister, I visited the college and had delegations come from the college, of which he was part. These were large groups of people, senior officials, that sort of thing. It was not a one-on-one lobbying sort of thing. And those meetings were certainly not set up by—they were set up by the college. I meet regularly; I meet with presidents all the time and I visit the colleges all the time.

Mr. Rosario Marchese: So you didn't go to the college because he called you. You went to the college because somebody else called.

Hon. John Milloy: I went to the college as a matter of course as minister—

Mr. Rosario Marchese: That's what you do.

Hon. John Milloy: Yes, that's what ministers do.

Mr. Rosario Marchese: By the way, did your staff ever meet with Mr. Chiarelli or officials, that you're aware of?

Hon. John Milloy: Not that I'm aware of.

Mr. Rosario Marchese: Deputy?

Ms. Deborah Newman: No, not that I'm aware of.

Mr. Rosario Marchese: So, finally the government introduces a piece of legislation that says, "We're just going to close that off. People won't be able to do that any more." But the legislation you're going to introduce on lobbyists in the public sector allows universities and colleges to hire lobbyists as long as the money doesn't come from government revenue. Do you agree with my interpretation of the bill?

Hon. John Milloy: Your interpretation? Yes. That's my understanding.

Mr. Rosario Marchese: So what I hear the Premier saying is that we're ending the practice of lobbyists being able to come and access you or him or anybody else. He creates the impression that it's a blanket elimination of that possibility of lobbyists to reach them, but it doesn't eliminate it, because, as I argued before, and you agreed with me, universities and colleges could use tuition fees and donations to hire lobbyists, yes?

Hon. John Milloy: Can I comment?

Mr. Rosario Marchese: Yes, please.

Hon. John Milloy: The simple fact is that our relationship with universities and colleges is—and I can only speak on that; the Minister of Health obviously has carriage of the full legislation, so I'll talk about colleges and universities and our financial relationship with them. We obviously provide a significant amount of their funding. We do not provide all their funding. The advice that we have is that we're in a position to mandate what they can do with the funds that we provide. Beyond that, we are not in a position to mandate them. However, I want you to know that a very clear message has been sent, both through this legislation and also through the channels of TCU, not to hire lobbyists. Despite the fact that that loophole may exist legally, because we don't have the power to mandate them, certainly the signal has been sent.

And I've got to tell you, the lobbyists would not get very far at the Ministry of Training, Colleges and Universities in terms of organizing a meeting, in terms of making a presentation. I think to every president in the system, that has been made crystal clear to them. There are not going to be lobbyists calling us, so what's the point of hiring them?

Mr. Rosario Marchese: So even though the law permits these institutions to hire lobbyists still from private monies that they collect, you're saying that it

doesn't really matter because we have indicated by way of the intent of the legislation that if they call us, they're just not going to get a meeting.

Hon. John Milloy: Well, you see, I wouldn't say "the law permits." What I would say is that the legislation goes as far as we are allowed to, based on our relationship with the colleges and the universities. We can't go farther.

Mr. Rosario Marchese: Sure. The only point that I make is that the Premier suggests in his comments that he has eliminated this practice of lobbyists being able to contact you folks, but the law just doesn't do that. There is an intent in it. In part, they can't use the public dollars anymore, but they can use their own dollars that they collect out of other sources to be able to do that. So if they want, they can and they will. We agree with that, right?

Hon. John Milloy: Well, I'm saying that the law has gone as far as we are allowed based on our relationship.

Mr. Rosario Marchese: I understood that.

Hon. John Milloy: At the same time, a very powerful signal has been sent through the legislation and through communications through the ministry that they are not to hire lobbyists. I cannot imagine—I think it would be pretty extraordinary if a college or university was to hire a lobbyist under these circumstances.

Mr. Rosario Marchese: What if we had proposed a different bill that said that nobody from the university, whatever their title, will be able to contact you or your staff? Because they're going to have different titles; they won't be called "public relations," but they'll have a nice title. They'll just be working for the college, and they'll be calling the same way; they just won't be called lobbyists, you understand. They'll still be calling you; they just won't have that title. They'll be working for the universities or colleges, and you won't be able to refuse their requests, I imagine.

Hon. John Milloy: I speak with presidents and senior officials in our colleges and universities on almost a daily basis. Throughout the ministry, the deputy does as well, as do members of my staff, members of TCU. They're in constant contact with their counterparts, with people who are coming forward with all sorts of issues. That happens on a regular basis. I've never refused a meeting request from a president or a phone call. Sometimes a president calls me at night urgently.

Mr. Rosario Marchese: I understood that. Your point was that this bill doesn't eliminate all lobbyists to be able to work for whoever, because you couldn't do that. I was saying that there would be a different way of presenting a bill that would make sure that they don't contact you or your staff. That's what I was proposing, by way of a different kind of legislation.

1720

Hon. John Milloy: But what I'm saying is, a representative of the university or college—

Mr. Rosario Marchese: —can already do that.

Hon. John Milloy: Yes.

Mr. Rosario Marchese: I hear you. Can I ask you, have you ever met, yourself, with any lobbyists who were working on behalf of a university or college?

Hon. John Milloy: When I meet regularly? I usually meet with presidents, and they usually come with a delegation. I've already indicated that I've been at meetings where Mr. Chiarelli was present. I've been at meetings where, sometimes, they come in and I'm quite impressed with the size of their entourage. I would not be surprised—and in fact, I know for a fact that in some cases, some of these people are outside consultants, lobbyists who have come with them. So they've been part of the entourage.

Mr. Rosario Marchese: Sure. But you yourself have never been contacted by lobbyists to have a meeting on behalf of somebody—on behalf of a college or university? They might have been there at the meeting, but they didn't call you directly, is the question, right?

Hon. John Milloy: In the sense that maybe—because I want to be honest with you. We've had contact with universities where they've been involved in a particular campaign or what have you, where there's been an outside person who's been enthusiastic about everyone sitting down at the table. But this is a very different ministry from, say, one that deals with private companies, where there might be dozens and dozens that are knocking on the minister's door. A president has almost—dare I say it—a right to meet with the minister, so there's never a case of somehow smoothing it through.

Mr. Rosario Marchese: I understand that, because we agree that lobbyists shouldn't be used, or at least public dollars shouldn't be used to hire a lobbyist to call you when anybody can call you from the university. We agree with that. So I was asking: Has any lobbyist ever called you directly?

Hon. John Milloy: And I would say that I have been contacted by lobbyists working for institutions that are saying, "Hey, we've got a great idea and we're looking forward to talking it through."

Mr. Rosario Marchese: And you told them, "Look, ask the president to call me, because I don't want to talk to you."

Hon. John Milloy: As I said, I meet with delegations. I have never met with a lobbyist alone on an issue. I have had lobbyists approach me at an event who have contacted me to tell me what great things they're working on, and they're coming in to see me.

Mr. Rosario Marchese: What about your staff? To your knowledge, has any lobbyist ever contacted your staff to arrange meetings, either with them or to try to arrange a meeting with you through them?

Hon. John Milloy: Again, I don't know specifics. As I say, I'm not, to be honest—there are people who work for universities in a variety of capacities who come in. In fact, the more I think about it, because I'm trying to be honest, I can certainly try to furnish you with—I'm just trying to think—people who've come in on behalf of—I meet so many people, Mr. Marchese. They come in. They're working for colleges and universities, and they

are bringing forward proposals and ideas that they have brought forward. I don't have a complete list in my mind of everyone that I've met with.

Mr. Rosario Marchese: I have to tell you, a non-profit organization called me—actually, a lobbyist. I was so incensed, I didn't answer the person's call. I told my staff that I don't respond—this was two years ago—to the call of a lobbyist. A non-profit organization—they don't have any money. They're starving for cash. They hire part-time workers because they can't afford to be able to hire full-time staff, but in their mind, they have to hire these lobbyists because they don't know how to access us or the dollars that they desperately need.

I told my staff to ask the non-profit organization to call me directly if they want a meeting with me. It was incredible, insane, that they would hire a lobbyist, a consultant, to talk to me. It happens all the time. It's as if we created a culture of these people to operate and/or possibly, dare I say it, that they're so underfunded that they need to, in their mind, call the experts to try to get meetings with us because they want to lobby us for funding and they don't know how to do it. Is that possible?

Hon. John Milloy: Mr. Marchese, again, we're talking about a sector which is very, very tiny in the sense that there's about 44—depending on how you want to count it—or 45 individuals who represent the institutions. As I said, I would use the word "right." They have a right to contact me, to set up meetings with me.

Mr. Rosario Marchese: We agree.

Hon. John Milloy: I have delegations that are coming through all the time.

In terms of the use of lobbyists, we agree on—apparently it was my moment in the sun on CTV News when I said to your leader, "You can't take 'yes' for an answer." Yes, we feel that the proliferation of lobbyists is inappropriate, and we're taking action through a bill. At the same time we're sending a very clear signal. Certainly, I must say, moving forward, no lobbyist would dare contact me or my office. A clear signal has been sent that that is no longer appropriate.

Mr. Rosario Marchese: I got you. Thanks, Minister.

I just want to talk about student debt. I wanted to get this out—

The Chair (Mr. Garfield Dunlop): Five minutes remaining in this round.

Mr. Rosario Marchese: How much?

The Chair (Mr. Garfield Dunlop): Five minutes.

Mr. Rosario Marchese: You see how time flies?

Hon. John Milloy: When you're having fun.

Mr. Rosario Marchese: I don't get it. I thought I had another 10 minutes. I don't believe it.

Yesterday I was saying that simply providing for students to have more debt doesn't address the accessibility, because a lot of post-secondary students are debt-averse and they'll actually put off higher education because they don't want to take on debt. We know that. I want to give you a few references about this, and then I'll ask you for a comment.

In a report called *The Decline of Quality at Ontario Universities: Shortchanging a Generation*, the Ontario Confederation of University Faculty Associations, otherwise known as OCUFA, writes: “While it is true that student assistance can help low-income students, there is evidence that high tuition can produce a kind of ‘sticker shock’ that can have a chilling effect on applicants from low-income backgrounds. There is also evidence that low-income students are averse to amassing the debt the current government emphasis on student loans ... creates.” That’s page 3 of their report that I just cited. I could read it for you—I’ve got it here—but I’m sure one of your staff has it.

We know that OSAP recipients are accumulating massive levels of debt. On page 2 of the same OCUFA report, the authors note that the average debt levels for students who access student aid is \$22,000. No surprise to you; we’ve been talking about this for a long time. These are crippling debt loads. Increasing OSAP maximums and saddling our graduates with a lifetime of debt, we argue, is not a solution.

One impact of student debt is that it actually limits further educational attainment. A study called *Student Borrowing and Debt*, by Ross Finnie and other academics working as part of the *Measuring the Effectiveness of Student Aid* project, shows that 16% of students receiving aid plan to put off further post-secondary studies because of their student debt loads. That’s page 2 of their report, which I’m sure some of you have. You don’t have to review it now, because it’s really not that important at this time.

I have another quote, but I’m sure we won’t have much time. Do you want—

The Chair (Mr. Garfield Dunlop): A couple of minutes. You’ve got two minutes.

Mr. Rosario Marchese: Do you want to comment on that now? Because I’m sure we’ll run out of time. I did have another reference but I can bring that to your attention later.

Do you want to comment on some of these things, Minister, in terms of the studies; the implications for students; their ability to access some courses because of high tuition fees and tremendous debt loads, with some students not going to university because of it, not going to the courses they want; the tremendous debt that they’re picking up that will force them to not be able to buy a house or have children? Do you want to comment on that? What do you think about all this, and how are you dealing with it?

Hon. John Milloy: I’m going to look to the Chair for a time check so I know how—

The Chair (Mr. Garfield Dunlop): You’ve just got a minute to clean up—

Hon. John Milloy: Oh, a minute. Well—

Mr. Rosario Marchese: You can start and then we’ll come back.

Hon. John Milloy: Yes, we’ll start. I’ll start with the simple fact that we have 140,000 more students in the

system. I look at the studies that show we have the most generous financial aid system.

You talked about student indebtedness. The fact is—and I shared these statistics yesterday—the level of debt, I believe it was amongst university undergraduates, actually declined slightly over the past number of years.

At the same time, the default rate is at the lowest rate since we started to keep tabs on it, I believe in 1997.

At the same time, RAP, the repayment assistance program, which comes into effect next Monday, I think is going to revolutionize some of the issues you’re talking about in terms of indebtedness, because it’s going to be based very much on the income of the student and their ability to pay back, with the potential to have the debt forgiven if they are in a low-income situation and relieve a lot of the anxiety that’s there.

1730

There’s a lot more I could say on the studies. There are other studies that have been done, particularly by HEQCO and others, but I know Mr. Dunlop is going to call time out.

The Chair (Mr. Garfield Dunlop): You’re right on; three seconds left. I’m pretty good at this, you know.

We’re going to finish up today with the government members for 20 minutes. When we come back next Tuesday, we’ll have about 23 minutes each to do in a rotation. Okay? Thank you.

To Mr. McMeekin or Ms. Van Bommel.

Mr. Ted McMeekin: Give it to my colleague.

Mrs. Maria Van Bommel: I’m just going to take us into a different part of the province than what we’ve been predominantly talking about.

I think all of us as MPPs have had occasion to go into northern Ontario. Many of us, too, have an opportunity to go into some of our aboriginal communities in the north. Even for my part, I have five First Nations bands in my riding in southern Ontario.

What I’ve seen in the north when I’ve been there are the consequences of the recession. The north has been particularly hard hit by the recent recession, and certainly when we talk about programs like Second Career and retraining, those are very important, but we also have issues, as I’ve travelled through some of our aboriginal communities, with providing post-secondary education for aboriginal students as well.

I would like to ask you what the ministry is doing in terms of working with our northern citizens and, in particular, with our aboriginal communities, not just in the north but throughout the province?

Hon. John Milloy: That’s a very, very important issue that you’ve raised of what’s happening in the north and particularly what’s happening with our aboriginal communities, as you say, not just simply in the north but throughout the province.

Really, I think there’s a number of approaches that you can take with this. Certainly in the last couple of years we’ve seen some pretty horrific—I think that’s the only word for it—layoffs in northern communities. Oftentimes these are the main industry in a town or a community. As

a ministry, we work very, very closely with the Ministry of Northern Development, Mines and Forestry, as well as other government ministries and community stakeholders to deal with the immediate outcome of a layoff situation.

We have a rapid re-employment strategy where we're contacting a community within an hour of news of a layoff. We keep close tabs on what's happening. We're there to work with community leaders and allow the workers the opportunity to access the services that they need through Employment Ontario.

Yesterday, in a question with Mr. McMeekin, I had an opportunity to speak about Employment Ontario and the range of services that are available, including training opportunities. One of the things that we found—and this isn't simply for the north; it's worked throughout the province—is that particularly when there's a large layoff, people need to look for support. They need to look for support from peers. They need to be able to work closely with other people who are in the same situation to figure out next steps. Hence, the idea of an action centre.

An action centre is tied to a particular layoff situation. In some cases, we pilot it where it may be applied to several different factories or businesses that have gone under, but for the most part it's tied to a particular layoff situation. It becomes a home away from home for those workers to find the supports they need. A lot of peer support goes on. They're run by boards which are composed, for the most part, of laid-off workers. There's a lot of, "How can we work together to access the services?"

It's not about reinventing the wheel. We're very, very careful that we don't duplicate services, but the ministry has funded several of these—I shouldn't say "several." It's funded dozens of these across the province in partnership, often, with the union or with the company itself if they're pulling out of a particular area.

In terms of the north, as of September 2010, there are 10 active action centres in community centres across the north serving approximately 7,600 laid-off forestry and mining workers. In addition, there are seven active community adjustment initiatives in communities across northern Ontario. The total MTCU investment for these adjustment initiatives, where we've worked with the community to help with these laid-off workers, is approximately \$1.1 million.

I've had an opportunity to visit numerous action centres and I have had the opportunity to visit them in northern Ontario. It's funny, as an MPP—and I've been with colleagues, I believe colleagues around this table—I'll be very candid that I was always nervous at the beginning because these are laid-off workers, and I expected to be greeted either with a scene of despair or a scene of anger. Although I never want to minimize the hardships that you meet when you go there, what I often find is a lot of hope and I find a lot of mutual support where people are leaning on each other; believe it or not, a lot of laughter, because people are finding that support and encouragement and a lot of wonderful stories of people moving on.

It may sound hokey, but some of the most impressive things I've seen—I remember one action centre had a tree, and they had all the branches drawn on the wall. Every worker's name was on a leaf, and as the worker got a job, it went up on the tree. You saw this go. It was a sense of pride for the workers. Certainly, it's been a process which has served to transform that experience for workers, and, as I say, in the northern communities I've witnessed many of these.

Another way that we're working with northern communities is, of course—as I say, there's different ways to slice this. We're talking about the immediate response, but then the longer-term response is: Let's look at the transition that's moving forward in the north. How do we move people from industries that may be disappearing in their area into ones that are cropping up? And then, when you add the overlay of the aboriginal component, are there special things we can do or targeted things we can do with aboriginal communities to help them benefit from emerging economic development opportunities?

Of course, one of the big areas—and I understand my colleague was here; the minister before me was the Minister of Northern Development and Mines, and I'm sure he spoke about this—is the Ring of Fire and the whole mining sector in northern Ontario. Part of the whole Ring of Fire package that was brought forward in the most recent budget contained a \$45-million, three-year northern training partnership fund, a project-based skills training program to help aboriginal peoples in northern Ontario—it's not just limited to aboriginal peoples—benefit from emerging economic development opportunities.

These are funds where we will fund initiatives that come forward that are going to help, as I say, aboriginal or non-aboriginal individuals work their way through—I always like to use this term; maybe it's a health-care term, but I like to borrow it—the continuum of training, where you can take someone from a layoff situation, take a young aboriginal individual, for instance, give them the training and build up the capacity so that they can move into the jobs of the future.

Many of these mining initiatives—I had a chance to visit Moosonee and Moose Factory a number of years ago, and there was a lot of talk about the diamond mining that was going on up there. They said that when companies talk about opening up in five, six, seven years, it seems like a long way away, but for someone who needs to upgrade their skills, who needs to have those training opportunities, even if it's several years away, you've got to start now. So I've been very pleased that we're able to come forward with that project. I certainly worked very, very closely with my colleague the Minister of Aboriginal Affairs in developing the type of programming that was flexible, that employers and other partners could come together to offer these training opportunities. These are real training opportunities that are going to lead to a job because they're in sectors

where the hiring is going to take place—maybe a few years down the line, but it is going to take place.

Another program we have, and this sort of came before the Ring of Fire, so in a sense it's complementary, is the investment in—and we've had a request for proposals over the summer—\$11 million in employment and training projects for aboriginal peoples in emerging sectors such as energy, mining and green industry. I have to tell you that I heard a lot from major employers in those areas, and again, this complements the Ring of Fire comments, where they say, "Look, we're going into, perhaps, a remote area. We have a large aboriginal population. We want to hire that population, but there's a lot of steps in between. We need to make sure that we have access to the skilled workforce. For heaven's sake, don't make us import people from elsewhere. I mean, we should be hiring local people. How can we work with the ministry to provide the training opportunities?"

1740

As I say, we're not talking necessarily about a three-week course, here. In some cases, you are talking about something that's going to take a considerable amount of time. We had so many people coming forward with ideas at different stages of evolution that that really sparked the idea of putting forward a specific program. As I say, there was a request for proposals that went out, and we had some very good feedback. We haven't announced yet the outcome of that request for proposals, but these are great initiatives, which are really going to create a new path for many of these young aboriginals. They're not all young, but I think of the individuals who are entering the workforce.

The Chair (Mr. Garfield Dunlop): Go ahead, Mr. McMeekin.

Mr. Ted McMeekin: Minister, I want to come back to the private career college issues that Mr. Hillier was talking about a few moments ago. I just want to say at the outset that sometimes I get the feeling that when you're involved in elected office, you're damned if you do and you're damned if you don't. If there's a concern with a private career college and you're not on it quick enough, people wonder where the heck you were. And when you do respond to protect students, to be cognizant of the regulations, others might take the position that you're disadvantaging somebody who wants to employ people, for example, as I think was the thrust of Mr. Hillier's comments.

I read the Ombudsman's report and we know a little bit about the background to that in some of the cases. He made a number of recommendations, 11 in total, but the first two were of particular interest to me, particularly as they relate to the prior discussion. The first was that the Ministry of Training, Colleges and Universities should issue public warnings to a website with respect to any present risk to student customers; and secondly, that not only should the warnings be public—they could call it the "buyer beware" list—but that postings to its website about decisions and orders affecting private career colleges be current and be posted expeditiously. In other

words, get it out there quickly; don't leave any doubt. People have got a lot of money invested in trying to acquire some skills.

The issue of the culinary school came up, and the minister referenced the superintendent, Mr. Scott, I believe. I'm wondering, Minister, if you concur, if I could ask Mr. Scott to elaborate a bit on the particular college that was the subject of some of the questions and tell us a bit about the background and what the tribunal actually did say.

The Chair (Mr. Garfield Dunlop): Please go ahead.

Mr. Allan Scott: First of all, I should indicate that I'm limited actually in what I can say. It's a matter of public record that the ministry and my team work closely with the Canada Border Services Agency that's conducting a separate investigation under federal statutes. I understand their investigation to be ongoing, and that limits what I can say today.

Speaking to the tribunal's public decision, which is a matter of public record, however, I can indicate that the tribunal, in issuing an interim order—and it was not a final decision on the matter but an interim order—allowed the school to reopen. It lifted the suspension, subject to eight stringent conditions that were attached to it being allowed to do that.

We never act precipitously in these matters. We always weigh things very carefully and we engage in what we call evidence-based decision-making. We focus very keenly on the protection of students, and a suspension of a registration only takes place where it's necessary to do so for the protection of current or prospective students or to prevent a continuing violation of a federal or provincial law.

Knowing that that's the legislative background, we acted as we did, and one of the concerns, of course, that's in the decision, which anybody can read online, relates to the offering and enrolling of students in unapproved vocational programs. That's always going to be a concern, because any student who's enrolled in an unapproved program is deprived of any protection under the training completion assurance fund. That means that should that school close or cease operations, those students will be left without any protection. They will not be entitled to training completions. They will not be entitled to refunds. In other words, they won't be entitled to the protections that the Legislature has said they ought to have.

We take that type of student-at-risk situation very seriously. The tribunal even found, in its decision, that "it is not seriously in dispute that there is no approved program entitled 'International Chef Diploma.'"

You should know as well that in allowing the school to reopen, it imposed two very strict conditions. The two strictest were: First of all, it must allow every student who was in an unapproved program to either contract into an approved program or to request and receive a full refund in writing. I can indicate that many students chose to contract into an approved program, and many others still requested a full refund. I can tell you, sir, that to my

knowledge, none of those refunds have been paid, despite the requirement of the Licence Appeal Tribunal.

I can also indicate that another condition on which it was allowed to reopen was that it not enrol any new students. I infer from this that the tribunal was exercising its jurisdiction as it felt appropriate to protect students while allowing the school to reopen.

I can tell you that our most important partners, whenever we undertake any initiative, are registered schools. We work very closely with registered schools, and we enjoy a fantastic relationship with them. I can indicate that most of the tips we receive about illegal private trainers in Ontario come from our partners in registered private career colleges who work with the ministry to protect students. There are a lot of outstanding schools out there that take the issue of illegal private trainers very seriously. I'm very proud of the relationships and the partnerships that we've built and that they feel comfortable picking up the phone and contacting us with information or their concerns.

Whether it's Niagara or any other school that's out there, we do what we have to, based on evidence, based on reflection, based on seeking appropriate legal advice, and we make prudent choices.

We act to protect students and afford them the rights that the Legislature says they should have.

Mr. Ted McMeekin: I appreciate that. Mr. Chairman, I just want to make the point that, if I understand Mr. Scott correctly, we're talking about a non-approved program, and you reference at the outset of your answer that it's currently being investigated internationally. There's the ongoing investigation, which—

Mr. Allan Scott: There's an ongoing investigation by the Canada Border Services Agency.

Mr. Ted McMeekin:—which the tribunal commented on. It made a series of recommendations, ostensibly to protect the students, one of which was that this particular college not be allowed to take on any additional students.

Mr. Allan Scott: That's correct.

Mr. Ted McMeekin: Yes. I think that's helpful. Thanks, Mr. Chairman. Since we're by ourselves here—

The Chair (Mr. Garfield Dunlop): You've got about another couple of minutes for a question or two, if you want.

Mr. Ted McMeekin: We'll wind up. I'll maybe just ask the minister if he has any final comments that he'd like to make with respect to this very helpful gathering. Mr. Chairman, you run a good ship. I commented the other day—you weren't here—about my knowing about your interest in adult literacy and was quite complimentary, if you missed it. You might want to check the Hansard on that.

The Chair (Mr. Garfield Dunlop): I'll check Hansard some day. Thank you very much.

We will wind up, then, because that does pretty well conclude the time. We'll meet again next Tuesday morning at 9 o'clock. Each caucus will have about 22 minutes to finish estimates on the Ministry of Training, Colleges and Universities.

Minister, thank you very much for today, and all the staff of the minister, thank you as well. With that, the meeting is adjourned until next Tuesday morning.

The committee adjourned at 1750.

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