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# **Legislative Assembly of Manitoba**

## **STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS**

**Chairman:**

**Mr. J. Wally McKenzie  
Constituency of Roblin**



**Thursday, October 25, 1979 2:00 P.M.**

**Hearing Of The Standing Committee  
On  
Privileges and Elections  
Thursday, October 25, 1979**

**Time: 2:00 p.m.**

**MR. CHAIRMAN, Mr. J. Wally McKenzie.**

**MR. CHAIRMAN:** The Committee will come to order. I will call Mr. Simpson from the Child Guidance Clinic of Greater Winnipeg, No. 38.  
Mr. Simpson, proceed, Sir.

**MR. J. SIMPSON:** Mr. Chairman and members of the Committee, the Advisory Council of the Child Guidance Clinic of Greater Winnipeg in consultation with their nine school division representatives request the Legislative Committee reviewing amendments to Bill 22, the Public Schools Act, recommend the following changes to the Act be instituted.

Instructional responsibilities of School Boards.

Item Section 41(4) This section should reflect the importance of early childhood education by including kindergarten. The use of Grade levels is no longer appropriate, therefore, a phrasing for this section might be "Every School Board shall provide or make provisions for the appropriate education for all resident persons who have a right to attend school."

Special Programs.

Section 41(5) This section is covered by Item Section 41(4), but if specific reference to special programming is necessary, we recommend the following wording:

"Every School Board shall provide or make provision for the appropriate programming for all resident persons who have a right to attend school including those who require a special program for their education."

General limitations.

Item Section 43, (1) It is important that the regulations covering this clause include urban school divisions in providing for adequate transportation support for children with special needs.

General Funding.

It is imperative that the government make a clear statement as to their participation in the funding of pre-school programs and programs for children with special needs. Clarification is also essential as to the roles carried by the Department of Education and the Department of Health and Community Services in the co-ordination of the various special programs.

Certified Teachers and Pupils in care of Teacher Aides.

Item Section 91(1) There is a change in your brief, Subsection (1) and Section 91, (2). It is imperative that the regulations covering these clauses will assure that teachers of children with special needs will have the appropriate training in special education. Also that teachers who are on a temporary leave, that is, illness, will be replaced by qualified teachers who are capable of carrying out the established programs.

Restrictions of taking of Census.

Item Section 241(2). It is recommended that the regulations covering this clause cover the number of children with special needs, the identification of the type of special needs to be met, as well as the identification of children who have multiple special needs.

The Handicapped.

Item Section 260(2) The following should be added to this clause:

"if the Minister is required to excuse a handicapped child from attending school, the Minister shall instruct the school division in which the child resides to provide an appropriate educational program.

Responsibility to send child to school.

Item 260, Subsection (1) and Subsection (3). We concur with the provision of increased fines to parents of school age children who are not attending school. However, these Sections hold only the parent or guardian responsible for the child's attendance at school. There is a serious gap in this law as no where is a truuanting child held responsible for his or her own behaviour, that is,

choosing not to attend school.

Attendance is a multi-faceted problem. School divisions need governmental support especially at the Junior High School level for a wide range of programs for students whose needs are not being met by the regular school program.

Also cooperative support from all governmental, legal and child care agencies is essential in the enforcement of the school attendance act.

Please see attached copies "A" and "B" for detailed discussion of the topic, which I won't go into now.

We appreciate the opportunity to appear before this Committee and our brief is respectfully submitted.

## **REMAINDER OF BRIEF PRESENTED BUT NOT READ**

### **"A" — SCHOOL ATTENDANCE 1975**

Problems with school attendance are not peculiar to Manitoba. The struggle for free, universal education and the abolition of child labour has been a long one. Now changes in our value system and in the organization of society are raising questions about curricula, teaching methods. A "good education" is no longer a guaranty of success in a well-paid job. Should schooling, beyond a few basic fundamentals, be compulsory any longer for everyone?

At present, two counter-currents may be readily distinguished: one moving in the direction of enforcement of compulsory attendance; the other toward a more laissez-faire attitude. On the one hand are concerns about academic downgrading, the creation of an army of unemployables, the delinquent activities of children who are not constructively occupied; on the other hand are changing values that make the traditional school difficult to maintain — loss of respect for authority, a demand for immediate gratification of wants and needs, a decline in the influence of the home, increased mobility, an unwillingness to accept challenge. While Manitoba Association of School Trustees is pressing for a more rigid enforcement of laws concerning school attendance, other organizations have apparently moved in the opposite direction — a new Child Welfare Act has removed truancy as possible grounds for neglect; amendments to the Family Allowance Act no longer recognize "satisfactory school attendance" as a requirement for payment of an increased allowance and the Branch will no longer give assistance in the location of students; the provincial Attendance Branch has been disbanded; the Family Court has declared truancy is not a delinquency; provisions of the Attendance Act are widely disregarded; good school attendance is no longer a concern for the majority of probation officers.

Some of the causes of poor attendance have already been underlined. Others may be roughly classified under the headings:

1. Familial
2. Cultural
3. Personal
4. Educational.

Within the family area may be found such things as:

1. Poor housing
2. Financial need
3. Alcoholism
4. Divorce
5. Desertion
6. General disorganization, neglect and indifference
7. High mobility
8. Working parents with no time to give to their children

Medical problems.

Where cultural factors are concerned, one encounters working class families for whom the academic routines seem to have little practical value; immigrant families where it is traditional for the child to begin working at 13 or 14 years of age; native families whose way of life runs counter to the white-man's preoccupation with precise punctuality, exact routines, and a pressure-cooker existence. Personal factors bearing on poor attendance would include the excessively shy child, the handicapped child, the academic misfit, the disturbed youngster, the overly aggressive child, the child who is grossly different physically from his peers. Finally, in the educational area, many children are "turned off" by rigid, unsympathetic teachers; unattractive schools and classrooms; subject matter unrelated to their interests and way of life; meaningless routines that treat them as objects rather than people.

With such a variety of potential causes for poor attendance, it would be naive indeed to expect a single approach that could offer a magic solution. Some approaches that have been tried with

n indication of their effectiveness, are the following:

1. Truancy charges laid against the child: This approach was used usually in the case of teenagers who were beyond parental control and generally already exhibiting a delinquent pattern. Records kept at Child Guidance Clinic for seven years showed an average success rate of only about 15 percent. A better success rate might have been achieved if charges could have been laid before the student was severely retarded academically and if special help could have been given upon his return to class.

2. Charges laid against parents for refusing or neglecting to send their children to school regularly. Very few charges were laid under this section of the Act. Some difficulties were encountered in obtaining adequate evidence but the main problem arose in sentencing. Native people and welfare cases could not be realistically fined and a jail sentence would result in having to apprehend and place a number of children. In addition, where no guilt was felt for the Act, punishment served only to generate increased hostility and a tendency to keep the children home more than ever to 'get even'.

3. Suspension of Family Allowance: This technique was quite effective on lower middle class families where one or both parents were working. It had little effect on native or welfare families because the loss frequently had to be made up from other sources to prevent extreme hardship.

4. Family Counselling techniques: Where there were legitimate problems and it was possible to establish a cooperative, working relationship frequently it has been possible to bring about major improvements in attendance. With chronic, multi-problem families, returns are extremely meager in relation to the amount of time invested.

5. Alternate programs: Robertson House, Alexander Place and Youth Action Project are examples of this approach. It is, perhaps, too soon to assess their effectiveness but they do appear to reach a certain type of child who is unable to tolerate the regimentation of the regular system.

6. Native aides: These have been tried recently on the theory that they might be better able to understand and communicate with their own people. Some effective work has been done, however greater acceptance of such aides by school authorities would appear to be vital in assisting them to achieve better results with pupils and parents.

7. Probation: When truancy cases were processed by the Court, a period of probation was sometimes used to impose additional controls and give extra support to the juvenile. Results generally were not impressive.

8. Referrals to Children's Aid Society: Under the old Child Welfare Act, persistent truancy was considered an element of neglect and direct referrals were accepted on this basis. On occasion, truancy charges were laid to assist the Agency in obtaining wardship. Results were not uniformly good but frequently the threat of apprehension or placement in a foster home did bring about some improvement.

9. Efforts by school staff: Countless man hours are logged by teachers, principals, secretaries and others in some schools in an effort to keep attendance records current and notify parents of absences for unknown reasons. The service undoubtedly curbs minor offenders but has little effect on the chronic, hard-core absentees. A more fruitful use of time would likely be attempts to make the school experience more relevant and successful.

Some background has been given, some causes of poor attendance have been enumerated, some attacks on the problem have been evaluated. Before proceeding, it is necessary to indicate a few further difficulties that may be encountered in seeking for a solution:

1. It is difficult to identify the size and nature of the problem. The periodic school census of children under 16 has been abandoned. Families on occasion, move without first obtaining a transfer, or move during the holidays without first notifying the school of their new address. There is no way of tracing the majority of these individuals. Most register in a new school in their new neighbourhood but others roam until an interested neighbour phones in a complaint. A few junior high schools in the city compound the problem by withdrawing children of compulsory school age because they will not attend or because they cannot be located. A survey of inner city schools has indicated that there may be as many as 367 school age children not attending school.

2. Attendance is now the responsibility of each individual division. There is a lack of consistency between division and division and between school and school. Some go to considerable lengths to try and improve their attendance while others take the attitude "if they come, we will teach them; otherwise, why worry?" Children truanting from one school frequently create problems by enticing students to stay away from neighbourhood schools.

3. No facilities exist for exchange of information or discussion of common problems between attendance officers in the various division. There is no registry of names, phone numbers or office locations. Job qualifications for attendance officers are minimal or non-existent.

4. There is no systematic method for handling attendance throughout the division. Some schools

expect the social worker to check out even minor absences while others will not refer until every other resource has been exhausted.

5. Attendance difficulties tend to concentrate in certain schools in certain areas. Because it is not a general concern of the division as a whole, it is harder to get action on the problem.

6. Poor school attendance is symptomatic of other problems and a professionally trained person is in the best position to diagnose and treat the more serious cases. On the other hand, much valuable time is wasted in routine checking, phoning and gathering information. These tasks could be handled equally well by an individual with minimum training, working under supervision.

7. There is a lack of clarity between legal responsibility for attendance, as defined by the Attendance Act, and professional responsibility for adequate diagnosis and treatment. An "attendance officer" is empowered by law to perform certain duties and is given certain legal rights and powers. A professional, e.g. a psychologist, not so designated, could in certain situations be challenged as acting without due authority.

Recommendations for Improvement:

1. Basic to any solution of the problem is the maintenance of a central, up-to-date, comprehensive registry containing names of students of compulsory school age who are either refusing to attend regular classes or who cannot be located.

2. Curriculum and program changes within certain schools should be carefully evaluated. Some students find the academic program so widely divorced from their present needs and interests that it makes sense for them to stay away from school. Establishment of more flexible, practical, learning-by-doing courses could keep students in school and eventually direct them into some form of trades training. A valuable adjunct to this would be a program of half-day working for wages and a half-day at school in courses related to the work experience. Special rooms in certain schools where students can receive tutoring, counselling and timetables adjusted to their needs also form a valuable rehabilitation service. These programs would be especially valuable at the Junior High Level.

3. Since a very large percentage of non-attenders are members of families receiving financial assistance, discussions should be held with City and Provincial authorities to involve families receiving assistance in creating educational programs which they feel will attract and meet the needs of their children.

4. Opportunities should be created for native people and other groups to present their needs and concerns. It is only through understanding where, in their view, our educational system is falling short that constructive amendments may be possible.

5. Discussions should take place with the Family Court re: the encouragement of good school attendance as a condition of satisfactory probation.

6. Clarification of the role of the "attendance officer" and the School Attendance Act.

7. Employers should be made more aware of the need for proper clearances from school before hiring students. Where it is in the best interests of the child, provision should be made for full-time employment on an individual basis even before the age of fifteen. Such cases would be subject to close supervision and periodic review.

8. There is growing conviction that the first three years of school are a major influence on the remainder of a student's school experience. Much emphasis should be placed on creating an environment which stimulates learning and personal growth at that time.

9. The move to establish alternative programs should be continued. Some input from students in these programs as to why the regular school was unable to meet their needs could be valuable in attempting to correct the problem at its source.

Schools Participating In Attendance Survey: Cecil Rhodes, Champlain, David Livingstone, Dufferin, Faraday, Florence Nightingale, George V, Inkster, John M. King, King Edward, Lord Nelson, Lord Selkirk, Machray, Montcalm, Norquay, Pinkham, Victoria Albert, Wellington, Weston, and William Whyte.

### **"B" — JUVENILE JUSTICE COMMITTEE**

Mr. Chairman, the Winnipeg Local of the Manitoba Association of Principals wishes to raise some serious concerns related to school attendance and the School Attendance Act. We want to support and strengthen a brief presented to you by the Child Guidance Clinic of Greater Winnipeg.

In discussing the issue of non-attendance at school, we feel that the estimated figures quoted by the Clinic (300 - 500) is far below the real figure. It is our contention that the real numbers are much closer to being from 1500 to 2000 students and that is without considering those unknown children under the age of 16 who are on the streets and not even known to the schools. Many of our "inner city" or "core" schools have a daily absentee rate of from 15 to 20 percent rather than the 2 percent being quoted for the province or the city in general. We are stating that the problem of non-attendance at school is much more serious than has generally been stated publicly

— to date. In fact a recent survey completed in the Winnipeg School Division showed over 2000 pupils in the Division have attendance problems.

The causes for non-attendance at school are numerous and we do not pretend to know all of them. Some of them are certainly included in the four general categories outlined in the Child Guidance Clinic brief. We would add such specific causes as broken homes, high transiency and the firm knowledge among juveniles and their parents that nothing will happen to them if they don't attend school because the school attendance laws have no teeth.

The Child Guidance Clinic outlines for you the background to the School Attendance Act and the fact that recently the Child Welfare Act has declared truancy to constitute — neither delinquency nor neglect. The Clinic's brief pointed out that Family Allowance payments are now — not contingent on regular attendance at school. What we have in effect, is a School Attendance Act which states that children must attend school — and other agencies stating that attendance at school is not important or compulsory. For the Child Welfare Act to accept the notion that non-attendance does not constitute child neglect — represents a protective, narrow and a very short term position. We want to emphasize that the only agency that has any hope of achieving any kind of long term success with these juveniles is the school. No other agency, except on a hit and miss basis, can reach them, only the schools can do it and they need support. Other agencies, without the positive long term input from the schools, can only perpetuate the welfare and correctional systems from one generation to the next.

It is important that you understand our view of what is happening now. The hard core non-attendance cases in our schools know that there is no one who can force them to attend school. That fact is well known among these students — if not by the public and the province. There is a tremendous "spinoff" effect from this "core" of students to other students and has a very negative effect on attendance. Those of us who have the services of an attendance officer have to use them with these marginal students who are being "pulled" out by the spinoff. In effect, they end up fighting a holding battle and generally losing.

It should also be pointed out that there is a clear consensus among our group, that the Manitoba Court System has absolutely no interest in enforcing the attendance laws. In fact, there is some feeling, however unproven, that the courts and the legal profession will go to great lengths to block cases that should be in court — at the very least they make it very very difficult to get a case to court. Added to this, the penalties spelled out by the Act itself are lenient to the point of being ridiculous. The effect of all this has been very damaging to many young people of this city. If kids are on the streets, if they are sniffing, on drugs or alcohol and bored; more delinquency will occur at a much greater cost to the property owners, taxpayers and especially the kids of the future.

Unless this trend can be reversed, especially in the inner city areas, a number of things can happen:

1. School principals and teachers and their support staffs will stop trying to get truant juveniles back to school and concentrate on the ones we have. (We spend far too much of our time now in mainly futile efforts to bring students in.)

2. School Divisions may — through frustration — stop employing attendance officers and in effect assume that attendance is not compulsory — after all they have tried — and received little or no support from the courts.

One of the often used causes given for non-attendance has been that the schools don't meet the needs or — in some way are inadequate. We wish to state that, though we recognize that the schools are far from perfect, most schools in areas of serious attendance problems now provide a variety of alternative programs to try to meet those needs. We are no longer prepared to accept that reason as acceptable. Further to that, we find that many of the serious attendance cases are more related to environment. Very few of them have developed suddenly, but have evolved over a number of years.

As a group we wish to recommend:

1. That the School Attendance Act be revised so that it is realistic, enforcable and that the necessary resources be provided to enforce it.

2. That the Child Welfare Act be revised to recognize the truth, that non-attendance at school does constitute neglect.

3. That Family Allowance be withheld from those parents abdicating their responsibility to their children — to get them to school — or to find some other way that is as effective as that policy was.

That since the schools are by necessity becoming much more involved with agencies working with our students, it occurs to us that the unique position of the schools could help the various agencies such as the Childrens Aid Society, welfare agencies and Probation Services coordinate their efforts in a much more efficient manner than appears to be the case now. We would recommend

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that you consider the possibilities in this area.

5. That — if the committee feels that school attendance should be compulsory — the school be provided with the necessary resources to handle that group of students who now consider the school is not compulsory and to work with the agencies involved.

In conclusion, we are saying that juveniles are not yet fully responsible — that they look for and have a right to expect guidance and direction from their parents, their community and the government. Their parents and the community at large have a right to expect support. To do less is to create and perpetuate a situation of higher delinquency and a costly future for our society as well as for the juveniles themselves. We are convinced that most of the parents involved and the community at large would support our position. In this International Year of the Child let's have our children in school and not in jail.

Respectfully Submitted by Jack Carroll, President, Winnipeg Branch, Manitoba Association of Principals.

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APPENDIX TO CHILD GUIDANCE CLINIC BRIEF

SURVEY - SCHOOL LEAVING PERMITS

<u>Participants</u>	<u>Suburbs</u>	<u>Winnipeg</u>	<u>Total</u>
Participants	63 (75.9%)	41 (66.1%)	104 (71.7%)
Refused	2	2	4
Unattainable	18	19	37
<b>Total</b>	<b>83</b>	<b>62</b>	<b>145</b>

A total of 108 (74.5%) of the students granted school leaving permits were contacted -- 65 (78.3%) in the suburbs and 43 (69.4%) in Winnipeg.

<u>Data Received From:</u>	<u>Suburbs</u>	<u>Winnipeg</u>	<u>Total</u>
Student	11 (17.4%)	7 (17.0%)	18 (17.3%)
Parent	39 (61.9%)	18 (43.9%)	57 (54.8%)
Other	13 (20.7%)	16 (39.1%)	29 (27.9%)
<b>Total</b>	<b>63</b>	<b>41</b>	<b>104</b>

<u>Sex</u>	<u>Suburbs</u>	<u>Winnipeg</u>	<u>Total</u>
Male	34 (53.9%)	25 (60.9%)	59 (56.7%)
Female	29 (46.1%)	16 (39.1%)	45 (43.3%)
<b>Total</b>	<b>63</b>	<b>41</b>	<b>104</b>

<u>Present Activities</u>	<u>Suburbs</u>	<u>Winnipeg</u>	<u>Total</u>
Unemployed			
Male	10 (47.6%)	13 (56.0%)	23 (50.9%)
Female	20	10	30
Employed			
Male	24 (52.4%)	12 (44.0%)	36 (49.1%)
Female	9	6	15
<b>Total</b>	<b>63</b>	<b>41</b>	<b>104</b>

In total 36 or 61% of the boys were employed while only 15 or 33.3% of the girls were employed.



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<u>Grade at Leaving School</u>	<u>11</u>	<u>10</u>	<u>9</u>	<u>8</u>	<u>7</u>	<u>O.E.</u>
Male						
Female						
Total						
 Suburbs						
Male		12	8	8	1	5
Female	$\frac{1}{1}$	$\frac{9}{21}$ (33.3%)	$\frac{12}{20}$ (31.7%)	$\frac{6}{14}$ (22.2%)	$\frac{1}{2}$	$\frac{1}{5}$
Total						
 Winnipeg						
Male		6	5	11	1	2
Female		$\frac{4}{10}$ (24.3%)	$\frac{5}{10}$ (24.3%)	$\frac{6}{17}$ (41.4%)	-	$\frac{1}{3}$
Total						
 Total						
Male		18	13	19	2	7
Female	$\frac{1}{1}$	$\frac{13}{31}$ (29.8%)	$\frac{17}{30}$ (28.8%)	$\frac{12}{31}$ (29.8%)	$\frac{1}{3}$	$\frac{1}{8}$
Total						

Number of Months Out / July, 1979	Suburbs	Winnipeg	Total
12	2		2
11	3	4	7
10	11	4	15
9	7	1	8
8	4	4	8
7	6	8	14
6	4	3	7
5	9	6	15
4	8	2	10
3	4	7	11
2	1	1	2
1	3	1	4
Unknown	$\frac{1}{63}$	$\frac{1}{41}$	$\frac{1}{104}$
Total			

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<u>Wish to Return</u>	<u>Yes</u>	<u>No</u>	<u>Maybe</u>
Male			
Female			
Total			
Suburbs			
Male	15	15	4
Female	11	13	5
Total	<u>26</u> (41.2%)	<u>28</u> (44.4%)	<u>9</u> (14.4%)
Winnipeg			
Male	10	7	8
Female	7	7	2
Total	<u>17</u> (41.4%)	<u>14</u> (34.1%)	<u>10</u> (24.5%)
Total			
Male	25	22	12
Female	18	20	7
Total	<u>43</u> (41.3%)	<u>42</u> (40.3%)	<u>19</u> (18.4%)

A total of 62 students or 59.7% indicated they wished to return to school, either definitely or if a program could be found which they felt was suitable.

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<u>Reason for Leaving</u> <u>School</u>	Job	Financial Need	Poor Attendance	Dislike	Other
Male					
Female					
Total					
Suburbs					
Male	9		23	32	3
Female	<u>7</u>	<u>2</u>	<u>18</u>	<u>27</u>	<u>3</u>
Total	16 (11.1%)	2	41 (65.0%)	59 (93.6%)	6
Winnipeg					
Male	5	3	18	19	
Female	<u>2</u>	-	<u>10</u>	<u>11</u>	<u>4</u>
Total	7 (17.0%)	3	28 (68.2%)	30 (73.1%)	4
Total					
Male	14	3	41	51	3
Female	<u>9</u>	<u>2</u>	<u>28</u>	<u>38</u>	<u>7</u>
Total	23 (22.1%)	5	69 (66.3%)	89 (85.6%)	10

<u>Disliked School</u>	Poor Achievement	Teachers	Program
Male			
Female			
Total			
Suburbs			
Male	25	14	2
Female	<u>13</u>	<u>7</u>	<u>10</u>
Total	38 (60.3%)	21 (33.3%)	12 (19.0%)
Winnipeg			
Male	11	6	3
Female	<u>5</u>	<u>2</u>	-
Total	16 (39.0%)	8 (19.5%)	3 (7.3%)
Total			
Male	36	20	5
Female	<u>18</u>	<u>9</u>	<u>10</u>
Total	54 (51.9%)	29 (27.9%)	15 (14.4%)

Reasons not asked, but given for leaving school:

1. School Found Boring                   15 (14.4%)
2. Disruptive/Forced Out               11 (10.6%)
3. Emotional Problems                   8 ( 7.7%)

A total of 19 students (18.3%) appear to have been given school leaving permits for reasons other than for which the permits were intended.

Recommendations

1. That school divisions, individually or collectively, design and offer alternative school program(s), for students in their middle teens (15, 16 or 17 years), who have temporarily left school, but who wish to return providing a meaningful program is available.
2. That a longitudinal study of students who have been issued school leaving permits be initiated.
3. That school divisions undertake to review with their school principals the conditions under which school leaving permits are issued.
4. That each school division survey those students issued school leaving permits each year, during the summer, for potential returnees. Students and parents would be informed of what programs were available and the procedures to follow in order to re-register at school.

The following is a list of students who have indicated an interest in returning to school.

**MR. CHAIRMAN:** Thank you, Mr. Simpson.  
Questions of Mr. Simpson?  
Mr. McBryde.

**MR. Ronald McBRYDE:** Mr. Simpson, through the Chairman to you, could you give us your definition of special needs?

**MR. SIMPSON:** Mr. Chairman, Mr. McBryde, I think a special needs child is any child who through virtue of a physical or emotional or learning handicap needs a special program or special services in order to function in school. Now there are all kinds of definitions, but I would say that that is fairly broad and inclusive. It would include, from my own experience, all children who need special programming and services.

**MR. McBRYDE:** Do you have, Mr. Simpson, through the Chairman to you, any idea of the numbers or percentages of students we are talking about within the area that your agency is dealing with, that could be considered special needs students?

**MR. SIMPSON:** Mr. Chairman, Mr. McBryde, perhaps I could defer to Dr. Hugh Curtis, who is of the Child Guidance Clinic, to answer that question.

**MR. CHAIRMAN:** Dr. Curtis.

**DR. HUGH CURTIS:** Mr. Chairman, to Mr. McBryde, I think the estimate runs roughly between eight and ten percent of all school children who are classified as children with special needs. I don't have the statistical data to back that up with me, but that has been the rough estimate we have used in the past many years.

**MR. McBRYDE:** I wonder then, Mr. Chairperson, if Mr. Simpson and Dr. Curtis could give us some ideas as to how far we are from meeting the needs of special needs students within the area that the Child Guidance Clinic covers?

**MR. CHAIRMAN:** Mr. Simpson.

**MR. SIMPSON:** Mr. Chairman, Mr. McBryde, I think we are further along than we were a few years ago. However, there are certain areas of programming which we really cannot touch at the moment, such as the autistic child. Attempts are presently being made — the emotionally disturbed child, for example, is very badly neglected. I think the whole area of services and the costs thereof, are important to both the agency as well as to all school boards in providing not only services but programs. I think the present moneys that are going to school divisions through which the Child Guidance Clinic services to whom they service, are providing only aids to some children who require not only aids, but programs, and the agency is very much involved in terms of providing services of a clinical nature to those children, but there is still the educational program that is wanting in some areas.

**MR. McBRYDE:** Another question, Mr. Chairperson. Could you just give me a little bit better idea of the structure of the clinic like, how is it set up and whom it serves and what is its relationship with the boards, etc.?

**MR. SIMPSON:** Mr. Chairman, I'll defer to Dr. Curtis.

**DR. CURTIS:** In terms of its administrative structure, the Child Guidance Clinic is directly responsible to the Winnipeg School Board. It is responsible to the suburban school boards via an advisory council. The school boards buy services from the clinic and the clinic place clinicians in to the respective divisions.

There is also funding from the provincial government for the administration of the clinic. Psychiatric services are assigned to the clinic by the Department of Health, I believe. That's basically the structure. We are primarily responsible to the Winnipeg School Board and through that to the other suburbs.

**MR. McBRYDE:** The type of service that you provide, would some of the school divisions outside of Winnipeg No. 1 have their own services and their own facilities and not use you, or except for exceptional cases use you, or do you provide the service to all the school boards within the Greater Winnipeg area?

**DR. CURTIS:** Within Greater Winnipeg we provide it to all suburbs except St. James, who provide their own services. We do not provide outside of Greater Winnipeg, as I believe that is covered by the office of the Child Development Services.

**MR. McBRYDE:** I wonder, Mr. Chairperson, if the delegation could give us some idea in terms of the waiting list for their services and then how you're able to keep up with the present demand for services.

**DR. CURTIS:** I, again, have not specific numbers at this point in time. I think there is a fair demand for psychiatric services that are not being met. There are demands in terms of our difficulty of recruiting local people in the area of speech and hearing. There has been some difficulty in recruiting personnel also from the area of Reading Clinical Remedial Help, in that area.

Primarily I think we are meeting the needs of the psychological and social work services available in the divisions.

**MR. McBRYDE:** The question I had in my mind just slipped away for a moment, Mr. Chairman, so I'll try another one. In the area of assessment, trying to find out early, Grade 1 or even pre-Grade 1 level, to assess the needs and to find out what special needs are there so the problems don't become quite severe before they are identified, does your clinic play a role in that assessment, or is that left to some other persons or group, or how does that work?

**DR. CURTIS:** Mr. Chairman, may I ask clarification of the question? Are you talking about pre-school children?

**MR. McBRYDE:** I'm not sure, that's why I wasn't very clear Mr. Curtis. I'm thinking in terms of . . . in some of my questions to other delegations, they said that, in fact, that special needs often . . . well, there's the obvious ones that are special needs. Where it was not so obvious as to what the special needs were, that often these individuals didn't come to their attention until there was particular behavioural problems or they kept failing grades, etc., etc., and that there needed to be assessment done very early on. So I guess you could divide the question into two, sort of the pre-school assessment and the Grade 1 or very early elementary school assessment.

**DR. CURTIS:** The Child Guidance Clinic is not involved with any child who is not registered in a public school system in Winnipeg, therefore, any of the pre-school programs that we are not associated with, usually that's under the auspices of the Child Development Services of the Health Sciences Centre. In terms of other programs, most school divisions conduct what is known as an early childhood survey for problems and that is done through the school system, and perhaps, Mr. Simpson could elaborate on how it is done, but the Clinic participates in that where problems have been identified or are suspected, but are not necessarily part of the overall survey.

**MR. SIMPSON:** I think, to respond to Mr. McBryde, the pre-school child, the information that the school divisions may receive primarily must come through other than school division services. And, as Dr. Curtis pointed out, in Winnipeg, for example, it is the Child Development Clinic. Now, certainly if we're talking about a deaf child, or a visually handicapped child, they need services right from birth, and if those services are not there, or minimally so, the child coming into the school system is somewhat behind in terms of being able to partake and participate in a learning program for herself or himself.

**MR. McBRYDE:** I'd like further clarification and I think it applies, I guess, to that category with learning disabilities of some type or another. The delegation that appeared to us from the MACL Association said that most of these situations are not uncovered until there are other problems attached to it normally, and I would like some further comment on the sort of lack of ability of the system as it exists today to reveal these kind of situations before too much harm is done to the child.

**MR. SIMPSON:** Mr. McBryde, to comment on that, I know that some school divisions in Metro Winnipeg, for example, do provide at the kindergarten level, a series of tests which indicate very early in the child's learning career where that child is at in terms of readiness for formal learning. That would perhaps answer to a large extent what perhaps other delegations have raised as a question in terms of a child's learning difficulties not being uncovered until later. These are invariably called kindergarten screening programs, and some divisions presently do offer that at the kindergarten level. It is, however, a costly exercise.

**MR. McBRYDE:** Mr. Chairperson, again through you to the delegation, or to either members of the delegation. In the area of gifted children, is the clinic involved in terms of assisting to set up additional programs or specialized individual programs, or what is your role in that, and then would you care to comment on how that is being handled generally within the area that you're familiar with?

**MR. SIMPSON:** Mr. McBryde, if I may comment, the Child Guidance Clinic as such is not authorized to set up programs for gifted children, that is the responsibility of individual school boards and school districts. However, they may assist in the diagnosis of gifted children, diagnosing them as gifted, or at least drawing to the attention of the school authorities, a child who is having difficulty in school by virtue of the fact that they are gifted. I think that is the liaison that the clinic would have there.

**MR. McBRYDE:** The other part of my question was left open, and that is, would you care to comment on the services now being provided within the area that you're familiar with for gifted children.

**MR. SIMPSON:** Mr. Chairman, Mr. McBryde, I'm from St. Boniface. Though I'm Chairman of the Advisory Council, my school division is St. Boniface, and we do have programs for gifted children there. Though there is a growing interest in providing programs for gifted children, there is, of course, a cost factor, and there is knowledge that we just don't have right now in terms of gifted children, but there certainly aren't a proliferation of programs for gifted children, if that's what you're asking.

**MR. McBRYDE:** So there is some room for improvement in this particular area as far as you're aware.

**MR. SIMPSON:** By all means.

**MR. McBRYDE:** The other briefs that we've had, in fact just about every brief commented on Section 41(5), Special Programs, and the wording that you recommend here is similar to what most other groups have recommended, but you were very mild, or you didn't mention why you didn't like the proposed existing legislation. Would you care to comment further on Section 41(5)?

**MR. SIMPSON:** Mr. Chairman, Mr. McBryde, yes, I think the existing wording certainly leaves a large loop-hole for school divisions and authorities not to provide appropriate programming for special needs children. I think it's one thing to say that they need a school program, it's quite another to provide an appropriate one.

**MR. McBRYDE:** Yes, Mr. Chairperson, that has been described as a loophole you can drive a truck through. Would you agree with that definition?

**MR. SIMPSON:** Mr. Chairman, yes I would.

**MR. McBRYDE:** I have no further questions at this time, Mr. Chairperson, thank you.

**MR. CHAIRMAN:** Any further questions for Mr. Simpson? Mr. Boyce.

**MR. J. R. (Bud) BOYCE:** Mr. Simpson, on page 2 of your brief you say, "we concur with the provisions of increased fines to parents of school children who are not attending school" and then at the bottom of that page you say, "please see attached copies "A" and "B" for detailed discussion of topic. And in looking at page 5 of your presentation of the detailed discussion, I see recommendations for improvement in school attendance 1 through 9, none of which suggest that increasing the fines is going to be of any assistance whatsoever, in fact, the contrary, as far as assisting and resolving this problem. Could you explain the apparent inconsistency in your submission.

**MR. SIMPSON:** Mr. Chairman, I think the brief certainly indicates that the fine alone will not improve an attitude on the part of both parents and child to attend school. It however might underscore the importance of it. We're quite well aware that there are families and there are situations where a \$500 fine is beyond the means of any family to pay, and certainly there would be no point in requiring a family on welfare, for example, to pay a \$500 fine. I think what our council wishes to bring to the attention of the committee is that it perhaps might underscore the importance of school attendance.

**MR. BOYCE:** Well in not only the "Recommendations" but going through your whole presentation listed as Schedule "A" attached to your brief, it's contrary to the Recommendations, in fact, it says that if anything it will exacerbate the situation, that most of the cases are of . . . well, if we're looking at item 2 at the bottom of page 2, "Charges laid against parents for refusing or neglecting to send their children to school regularly. Very few charges were laid under this section of the Act", so that's number one that very few charges were laid under the Act regardless of the fines perhaps, but "Some difficulties were encountered in obtaining adequate evidence", so I wonder how the increasing of the fine will help in getting better evidence.

Then it goes on to say, "Native people and welfare cases could not be realistically fined and a jail sentence would result in having to apprehend and place a number of children. In addition, where no guilt was felt for the act, punishment served only to generate increased hostility and a tendency to keep the children home more than ever", so that's why I see the position somewhat inconsistent where they concur in the provision of increased fines to parents of school age children who are not attending school. So that, in the support of such increase, is it not the case that people will be placated into a sense of false security and that something is being done to alleviate this very important problem; we've increased the funds so the problem is solved. Is there not more danger in that than having any meaningful effect on the problem?

**MR. CHAIRMAN:** Mr. Simpson.

**MR. SIMPSON:** Mr. Chairman, I'll defer to Dr. Curtis.

**DR. CURTIS:** Mr. Chairman, Mr. Boyce, I would like to point out that the pages that you are referring to was a presentation made to the Winnipeg School Board in 1975, and is used here only for background information. But, in regard to your question, I'd like to make some observations, if I may. Our concern is to bring to the attention of the Legislature, and the Minister of Education, not necessarily our intention . . . let me put it this way, we are less interested in handing out punishment, either to parents or to children, as we are in terms of getting control of a situation that is becoming out of control, at least in Metro Winnipeg. We support, really, that parents should be held responsible for this child's attendance at school; we support that schools should be providing adequate school programs; we support the use of attendance officers in finding out why children are not in school; we support the judicial process in terms of making sure that parents that are charged for not sending the children to school have due process and are protected in terms of legal rights. But this system is very cumbersome. One of the sections of the Act, I believe it's Schedule 'A', refers to having a child return to school within a period of three days. The process of taking legal action is such that you can go for two or three months with a child being out of school before it can be adequately legally dealt with; that is a problem. That's a problem that, I think, the Legislature and the Minister should be aware of.

Secondly, we are concerned about the problem of the lack of community support for a compulsory school education. If I may be a little facetious, it is almost as if compulsory school education is an embarrassment to everyone; we believe in it, we advocate it, but we do not enforce it. Community support, generally, has weakened over the last several years — and let me give you an example or two of it. The Juvenile Delinquents Act no longer defines truancy as a delinquency. The Child Welfare Act no longer designs neglect, or truancy as a part of neglect. At one time you were able to take legal action through the use of family allowances to get control of these situations and have the children return to that process. That's no longer possible, what you really have is just your school systems trying to enforce an Act with very little community support, and that, I think, is becoming a major issue; that's what we wish to bring to the attention of the Legislature, and to the Minister of Education.

If I may say, I think, that the schools, in Winnipeg, particularly, the principals, the teachers, the attendance officers, the Child Guidance Clinic do a great deal of work on these cases of truancy before court action is ever considered. It is a problem, it is a growing problem and we feel you should be aware of it. I don't know if that fully answers your question, Mr. Boyce, but that's where we're coming from.

**MR. BOYCE:** Yes, thank you, Dr. Curtis. Perhaps you could share with the committee your thinking on why legislative bodies, and other jurisdictions, are shifting away from your suggested position relative to truancy? You have mentioned the Juvenile Delinquency Act and Welfare Act.

**DR. CURTIS:** It appears to me, and this is a personal opinion, not necessarily reflecting that of my colleagues, it appears to me that we are a little schizophrenic when it comes to dealing with children. On the one hand we wish to consider them not as adults until the age of 18 unless they



commit a criminal offence; on the other hand, in terms of all sort of personality and learning theory, children are taught to be responsible for their own behaviour. If a child chooses not to go to school then that is a deliberate choice, particularly at the age of anywhere from 10 to 15 years of age; we cannot move on that. The parents are still held responsible for that decision by the child and, if the child is out of control of the parent, if the child is out of control of the school system, then there is no method in which to get control of that situation; that is our concern.

**MR. BOYCE:** Through you, Mr. Chairman, to Dr. Curtis. You say that this will be a method to "get control" of these children?

**DR. CURTIS:** Well, get control is mine, my terminology, I'm not wanting to be necessarily punitive about this. What I am concerned about is the number of kids who are simply out of school, particularly in the core city of Winnipeg, for which no appropriate legal child protection, or attendance laws, are able to deal with.

**MR. BOYCE:** On a daily basis how many youngsters are we talking about, students or . . .

**DR. CURTIS:** That's a difficult question to answer because I have received a number of different answers. My own estimate that any given time in a year you are looking at anywhere from 200 to 500 children. Many of the school principals in Winnipeg will disagree with that and say that it is anywhere from 1,500 to 2,000, somewhere in between. You note there is a lot of kids out there.

**MR. BOYCE:** So what you are saying is depending on whose figures you use that any day there are between 500 and 2,000 children who are not rightfully in school, or are wrongfully absent from school.

**DR. CURTIS:** I think that's putting words in my mouth, Mr. Boyce. I'm not quite prepared to say that on any given day. What I am saying is that, over a space of a year, there are a number of children with whom our system is not dealing with.

**MR. BOYCE:** Well, thank you for clarifying it, I'm not saying that, you know, it is a difference, 500 to 2,000, but your assessment was 500, principals and some other people use the figure 1,500 to 2,000, so I was taking the two extremes from what you had said. On a yearly basis this is what we are talking about, we're talking about within the system that any 500 to 2,000 children are absent from school on any . . .

Now, suppose you are right, that it does get control of the situation, it's of immediate concern for me in my own particular constituency. So, then we've had some representation from the teachers, and when they talk about teachers' rights, what do we do with these children when we put them in the school, as far as a teacher, the expectation of the teacher in this regard? With some of ' them do we chain them to the eesk — I'm being facetious, of course, but for emphasis, do we chain them to the desk, or what do we expect to take place with some of these children if we don't deploy the resources to help the teacher?

**DR. CURTIS:** Again I'm not too clear of your question, Mr. Boyce. I would hope, and I think particularly in the last 10 years or so, that school divisions have gone a great distance in providing alternate types of programs for students who are having some various learning problems, or problems with school, including learning problems and including just /simply disliking school. I think we just have to keep looking for those kind of programs and developing programs along those lines as best we can. I think, also, we have to — and this again is my own personal opinion — I think we have to accept the fact that perhaps we cannot educate every child that comes into a public system, unfortunately. But that's my own opinion. I might not get a great deal of support for that from anyone else.

**MR. BOYCE:** I'll try to make my questions clearer. I'm inclined to be somewhat constrained this afternoon because I don't want to meander and then people say I'm off the subject. We're talking about the School Attendance Act at the moment, which is repealed effectively by the suggested legislation. How can we, in the public interest, advise parents that teachers only have a certain amount of patience, professional expertise, intestinal fortitude, or whatever human attribute that you want to use, and is available, and that's all that we should reasonably expect as parents. We don't expect the legal profession to win every case or the doctors to cure every case. You mentioned yourself, you said that not every child is educable. So what do we build into this arbitrary system

f compelling youngsters with force of law, to attend school? What protection devices can we offer to the teachers in this regard? When have they exhausted a reasonable, professional level of delivery of service to an individual child?

**MR. CURTIS:** I don't think you can perhaps generalize to a great extent. It depends on the child, depends on the teacher. I think some teachers can go to great lengths with their students, while others will go less of a distance with them. I think some children require a great deal more attention than others require. So it's difficult to come up with a stated program that's going to fit everybody. I don't think we're going to go that route. I said earlier that I think we should be providing as many alternate programs available to try and meet the needs of these children as possible, at some point, and again this is my own opinion and no one else's. I think that we may have to be prepared to say that we have gone as far as we can, and simply lay that on the doorstep of the parents. I agree with you that I think teachers do a great deal. It's not an easy question to answer, Mr. Boyce, and I haven't got a quick answer for you on it.

One of my concerns is trying to meet the needs of both the parents and the child in terms of being able to help them face the fact that it is a compulsory law that they should be in school, and the speed with which that can be done. Under the present circumstances, it's a very slow process.

In terms of alternate programs, I think school divisions have tried a variety of ways to do that and need to keep at it.

**MR. BOYCE:** I know that neither Dr. Curtis nor I are going to solve the chicken or egg problem, but nevertheless it is that type of a situation. I don't think the public is generally aware, and perhaps you could concur, or if you disagree with me, Dr. Curtis, that when through Immigration Canada, they decide something, that in our area, for example, when they went to Italy first of all, and a number of people came over from Italy, then all the teachers in the area had to learn, those who didn't know, about the Italian culture. When they went and did the same thing with the Portuguese people, then we had to go and understand the Portuguese culture. I've been out of the system or ten years, and if I was in the school system right now, I would have to try and understand the Vietnamese culture, the Chinese culture I have some familiarity with it, but nevertheless, this is the type of thing that we're talking about. Very few people are familiar with why these youngsters that you're talking about aren't in the school system, because with many of them it is cultural disorientation.

People say, are you using gobbledegook and jargon and everything else and the people who take it in the neck usually are the teachers. So this is why I'm asking these particular questions. What is reasonable in the public interest to expect of teachers, and when you put in the side of one law, one side of the balance of this equation, that you're going to haul, literally, some of them, haul them back into the school system, then what do the teachers do with them reasonably, when they get them there? If we don't put the money there to help them. Nothing. They're just going to go out the other door.

Your supporting document which you said was in 1975 is still applicable today

**MR. CURTIS:** Pretty well, yes.

**MR. BOYCE:** Thanks, Mr. Chairman.

**MR. Ben HANUSCHAK:** Yes, Mr. Chairman. Item 4 in the first page of your brief, speaking of general funding. You are suggesting that the government make a clear statement as to their participation in the funding of pre-school programs and programs for children with special needs. I would understand that to mean that if the government is going to participate in funding, that there will be other participants. Would you not agree that the section of the Education Administration Act, Section 4(1)(e) is crystal clear as to its meaning, as to the direction that the government intends to go with respect to the funding of education, namely the imposition of user, or deterrent fees, which section will give the Minister the power to make regulations governing the operation of public schools, amongst others, and designating the groups, kinds, classes, or types of persons to be admitted, and the fees and charges, if any to be paid by the pupils.

**MR. SIMPSON:** We did not address ourselves to Bill 23. However, I might comment that users' fees, I think are in direct contradiction to the brief that we presented here.

**MR. HANUSCHAK:** Thank you.

**MR. CHAIRMAN:** Any further questions? Mr. Walding.

**MR. D. James WALDING:** Mr. Chairman, I'd like to follow up this matter of school attendance and ask the delegation, you've given us a number of problems involved with school attendance, and a few recommendations for improvement with no guarantee that these recommendations will, in fact, solve the problem. You raised the question, in your brief, in two places, whether schooling should be compulsory any longer. Are you making this as a serious suggestion or recommendation to us, and if it should be adopted, what would happen as a result of this move? Would you see that truancy would get very much worse, would certain schools or certain teachers use that as an excuse for getting rid of troublemakers out of their class? What would be the effect of this?

**MR. SIMPSON:** Mr. Chairman, I'll defer to Dr. Curtis.

**DR. CURTIS:** Mr. Chairman, through you to Mr. Walding, I believe you've asked a number of questions and I'll try and clarify them. In terms of whether or not we believe in compulsory school education, I think we would have to say yes, providing you can, in fact, enforce such a law. What I am suggesting here is that there are a great many problems in enforcing the compulsory school aspect of it, and perhaps we should be being much more realistic about what a school system can provide to certain children. Whether that will become a lever in to ichthrow children out of school by a teacher, I'm sure that maybe occasionally that will happen. I don't see it becoming a wholesale kind of process though, and I think there are certain safeguards that can be built into such a process to make sure that an adequate investigation of every attendance case would eliminate that possibility.

**MR. WALDING:** Can you tell us what benefits you would see to abolishing compulsory schooling?

**DR. CURTIS:** I think at the present time w're living in perhaps, if I may use the term, a Fool's Paradise, we're maintaining that we have such a thing in the province as compulsory school education but we're not really able to totally enforce that, I think there are children and there are also adults who recognize that it cannot be enforced and simply take advantage of it and that makes a mockery of the law. I guess many years ago I was talking to the Review Committee on Juveniles of the Province and my concern there at that time was that if you cannot enforce a law, then people will take advantage of that and it makes a mockery of the whole system, and that's what I am afraid is happening at the present time, for some parents and for some children.

**MR. WALDING:** Okay, I understand what you're saying and that you're pointing out the problem to us. Are you prepared to go as far as recommending to the Committee that we should abolish the concept of compulsory education?

**DR. CURTIS:** As a committee, I don't think that I could say that was their intent, that they would still state that they were in favour of some form of compulsory school education. Personally, my observation would be to you is that if you cannot enforce it, then you'd better be very careful about having it and therefore, I have come to the conclusion that compulsory education in Manitoba is not particularly a viable position to adopt.

**MR. WALDING:** Have you any information at all about what happens to truants, chronic truants, if I might call them that, in later years? What happens to them when they grow up?

**DR. CURTIS:** We have no recent statistics of such studies that I know of that have been done on that, follow-up studies of kids that have been out of school. I think it is reasonable to anticipate that kids that do not complete their education are more vulnerable for such things as enrolment on welfare roles, perhaps getting into difficulties with the law. I think some of them, because they have lost interest in a particular form of education, are also able to go out and make their, shall we say, self-education and become successful within certain areas. But I have no data or supporting evidence fo that, Mr. Walding.

**MR. WALDING:** You know of no studies that have looked into this matter.

**DR. CURTIS:** No, I haven't.

**MR. WALDING:** Are you aware of any demand from truants later on to get back into the school system to make up for that lost time?

**R. CURTIS:** I think the best I can refer to there, because that also is not statistically looked at, I can take a look at a study, a brief study I did on school dropouts this summer for Metro Winnipeg, in which 40 percent of the children that were given school leaving permits under the Act, were now saying they would like to return to school. Another percentage I believe — I don't have them with me — was about 18 or 19 percent indicated if there was a suitable program they could identify with, that they would also like to return to school. The information was gathered by talking to students and also from parents of students.

**MR. WALDING:** If this is not a confidential study, I wonder if you could be good enough to let the committee have a copy of it.

**R. CURTIS:** It's public, to my knowledge, Mr. Walding.

**MR. WALDING:** Thank you. There is just one other question. We had a delegation in to see us yesterday, speaking about home education and the right of a parent to educate his or her own children. The indication was that there are about twelve families, now either doing this or interested in doing it. It was indicated also to us that this is a growing thing that is more extensive in other provinces than it is here. Do you have any reaction to this as to whether it should be encouraged or discouraged or treated on an individual basis?

**R. CURTIS:** Mr. Chairman, I'd like to comment. My own feeling though, it's not the feeling of the Council, certainly is that I would not like to see a licence for that be in the Act. I think those kinds of issues need to be treated on an individual basis, would be my personal preference.

**MR. WALDING:** Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Any further questions? Thank you, gentlemen, for your presentation.

**R. CURTIS:** Thank you.

**MR. CHAIRMAN:** For the benefit of the committee, I have a memo here from the Clerk that we would deal with. Mrs. Mary Shillington from The Pas apparently has been in touch with the Clerk's office; she apparently is with the Marigold Pre-school Centre in The Pas. She was calling on behalf of the Centre and two other groups. They would like to present briefs to the committee but cannot come to the city. Is there any possibility that the Standing Committee on Privileges and Elections could go to The Pas? As well as the Marigold Pre-school Centre the groups are CEC, Council for Education for Exceptional Children Parents Group. If the committee goes to The Pas, BUS group would like to present their brief. It has already been sent to the committee in writing. Would you care to deal with that matter now so we can give the Clerk an answer?

**MR. McBRYDE:** Yes, Mr. Chairman, on Monday I raised this question with the committee and we decided to sort of see what happens. I am aware now of the BUS Committee from Wanless, The Pas, that have submitted a brief, that they would like in fact to be able to present the brief, and know there are those other groups that are mentioned in that memo that you have there, and also know on the list here is a brief from Thompson. Now I don't know whether that person is intending to come or whether it was his wish to submit a brief and I understand that there are no people from Gillam that are also interested in presenting briefs to the committee. And if we did go to The Pas there are some others that said they don't want to submit a brief but if we did come to The Pas they would in fact come out and present their views to the committee and that was from a trustee of the School Division plus from The Pas Region and the Metis Federation.

**MR. CHAIRMAN:** I'll read from Beauchesne, Section 598 and 599, which the Clerk has referred to me. It says that "Sittings beyond the precincts of the House, Section 598. A committee usually sits in one of the committee rooms of the House with necessary arrangements to be made by the Clerk of the Committee. Section 591(1) Committees may be authorized by the House to adjourn from place to place as may be found expedient and meet at a particular place, but no committee can sit after a prorogation. (2) In recent years committees have sat and heard evidence outside the precincts of the House. In such cases, unless the committee has been previously authorized to adjourn from place to place it must obtain leave of the House for that purpose. (3) A committee can also be given the power to travel in whole sittings in a particular place." And that's the references in Beauchesne, so I leave it to the committee to give an answer to the Clerk on this subject. Mr. McGill.

**MR. Edward McGILL:** Mr. Chairman, on the point that you raise, was there anything in our Authority or charge from the House that would enable us to make that decision to hold hearings other than in . . . I gather, from reading Beauchesne, that it would appear that we don't have the authority to do this now unless our original charge from the Legislature included that.

**MR. CHAIRMAN:** Maybe the Clerk can enlighten us on that. Well, we have the Motion for Votes and Proceedings, of course, which we were read this morning this morning, and the motion be amended by deleting all the words after that, substituting thereof "The Public Schools Act be now read a second time, second reading be discharged, the bill withdrawn and the subject matter thereof referred to the Standing Committee on Privileges and Elections".

**MR. HANUSCHAK:** But, Mr. Chairman, is there anything in the motion establishing this committee that prohibits it from adjourning its meetings and moving from place to place? This motion does not have anything to do with the establishment of this committee.

**MR. CHAIRMAN:** No, it just said the subject matter be referred to the committee.

**MR. BOYCE:** I know, but I'm referring to the motion establishing this committee. Have we a copy of our in-House Rules here, Mr. Chairman?

**MR. McGILL:** Mr. Chairman, I wonder if we might save some time; we'll be meeting tomorrow, presumably, could we refer this to legal counsel for some interpretation of the regulations and what this committee is able to do, or not to do.

**MR. CHAIRMAN:** Agreed. And we'll deal with it first thing tomorrow morning.

**MR. BOYCE:** Well, Mr. Chairman, while I agree we should be expedient, nevertheless this is a Committee of the Legislature and it is not usual for . . . The Clerk is the one who advises the Legislature on the Rules of the House. I think we should just think about it and maybe come back tomorrow; each one of us can seek counsel from anywhere, but nevertheless . . . it's costing the committee . . .

**MR. CHAIRMAN:** Or we could deal with it tonight at 8 o'clock; we can think it over this afternoon and at 8 o'clock we could deal with it.

**MR. McGILL:** Mr. Chairman, what Mr. Boyce is suggesting is that the Clerk can advise us as to the Rules of the House. If the Clerk is prepared to give us that advice now we might be able to deal with it immediately.

**MR. CLERK (Mr. J.R. Reeves):** There is nothing in our Rules, gentlemen, which says we can, or we cannot, meet outside this building. But, while I have been listening to what's going on, I have been taking this opportunity to look at some of our old Journals and wherever a Committee has met outside of the . . . has gone, from say to Brandon and to various places in the north, there is always a section in the resolution which reads to the effect that the Committee may "hold such public hearings as it may deem necessary." We have the authority contained within the Legislative Assembly Act which allows a Committee to sit between sessions, but between that that was read to you from Beauchesne, and the fact that we have always, in the past, included in our resolution setting up a committee such authority as it required for the committee to hold public hearings as it so desires.

**MR. CHAIRMAN:** Mr. Hanuschak.

**MR. HANUSCHAK:** Mr. Chairman, to which motion is the Clerk of the House referring, the one establishing the Committee on Privileges and Elections or the one referring the Subject Matter of the Bill?

**MR. CLERK:** I'm referring to no particular committee, I'm referring to Standing . . . this would apply to all Committees I understand Mr. Hanuschak.

**MR. HANUSCHAK:** So then, Mr. Chairman, I must ask again that we check the motion approved by the House establishing this committee.

**MR. CLERK:** It's right here.

**MR. CHAIRMAN:** Well, the motion by the Premier ordered that the Standing Committees of the House for the 31st Legislature be appointed for the following purposes — names the committees: “Which several committees shall be empowered to examine and inquire into all such matters and things as may be referred to them; and to report, from time to time, their observations and opinions thereon, with powers to send for persons, papers, documents and examine witnesses under oath.”

**MR. CLERK:** That’s all I have.

**MR. CHAIRMAN:** That’s the motion.

**MR. McBRYDE:** Mr. Chairperson, since I am not one of those who considers myself an expert on legislative procedure and legislative rules, or committees thereof, my preference would be and since we have delegations waiting to speak now, to wait until this evening, or tomorrow morning, to make a decision on this matter.

**MR. CHAIRMAN:** Okay. Proceed. I’ll then call David Jenkins. No. 58. Proceed Mr. Jenkins.

**MR. DAVID L. JENKINS:** Thank you, Mr. Chairman. My reason for being here is as a private citizen, as I said at the beginning of the brief there, and I am by no means any expert on education. I come here strictly as an observer of the educational system and, in addition, because I’ve seen in the last few years, due to my disability, quite a bit of inequality in the public school system. There are four points that I’d like to draw your attention to that I feel need to be emphasized for these hearings. And the first point is that I would like to urge the people that make the legislation to establish a clear direction for the public school system to pursue. And, unless you do that in the Act, I think you are possibly leaving open to individual judgments all along the line; and if the concept established is broad enough, in other words, you are either going to make the educational system equally available to all the citizens in the province on as equal a basis as you can possibly make it or you are not. And I really don’t see the point in beating around the bush about it.

I think the trend in the educational system over the last 10, 15, 20 years, certainly since I was in grade school and a public school system, has been to accommodate a larger so-called “average” student, if you wish. In other words, to make more programs for a broader range of kids, whether they are above average, below average, or what. I think there is more specialties, in terms of programs in an educational system.

I think it is important to keep in mind that the school system is more than the sum of its parts, in terms of an education system, it is also the opportunity for children to develop emotionally and socially. And, if you take that opportunity away from some people, in respect of others, then you are going to create inequities; and I think The Public Schools Act of the province should be very clear in its — I’m referring specifically probably to 41(4), 41(5).— On the one hand you say . kids have the right to attend school and get a program, and then on the other hand, you don’t seem to be saying that, that only where it’s convenient you can do that. I think that should be looked at again. The concept is very simple. I don’t think there’s any difficulty in understanding what anybody is getting at in saying that.

Along with No. 1 goes No. 2, and that is establishing an equitable funding model that will allow the concept that you stated so that the directions that that indicates can be pursued on a continuing basis. If you don’t allow that, you can’t have sort of one without the other, not without creating a great deal of confusion in the whole system. I’m not a funding expert, but I think some of the principles that could be involved are that the resources that you put into that kind of thing should be put on stream gradually and phased in, having regard to the requirements of the existing system. In other words, you can’t just dump something on top of something and expect it to work.

It seems to me from my observations in the last two or three years, one of the most pressing needs is for a long-range planning so that educators can work towards reasonable goals, knowing that their resources won’t be cut off halfway down the road. There is more uncertainty caused at the working level, from my observations, from that kind of thing than almost anything else. If you don’t establish the direction and try and establish the long-term goals, 15, 20, 25, 50 years down the road, then I don’t see how anyone can expect people to work towards the common good for the educational system.

Another point that I wouldn’t ordinarily bring up, because being disabled I am subject to the “medical model” on a lot of situations where the medical input is, at times, not pertinent, but because that’s the tradition, or that’s the system, you’re faced with that kind of a solution or approach to problems in every case. And in this particular situation, there’s no mention in the Act of providing any linkage between the Department of Education and Health that will permit the required services

of individuals to be available in the educational system. There are students in the field right now who could be part of the regular school system, but because there's no formal linkage higher up between the Department of Health and the Department of Education, they are not able to participate in a regular way. I'm sorry I can't give you verse and chapter on that, but from my observations again, over the last four or five years in talking with a lot of people that have had experience in the field in this area, they tell me that this is a continuing problem, and unless something is established to take care of this the way the Department of Health provides needed services, I think you're cutting off a lot of children from participating in the school system.

No. 4, Placements and Appeals Problems. I don't think there appears to be much of a problem for the average child in a school system. You don't even think about placement or appeals unless there is a specific problem, but as soon as you start thinking about other than the average child, it seems to me that there should be some recognizable way to proceed with regard to obtaining the best kind of placement for children in the system, and you're talking about children that, because of maybe trauma or social or medical problems of one kind or another have their schooling interrupted because of that, how do you get those kids back into the school system without some recognizable method of placement. Most people I have talked to seem to agree that the people that should be involved in that is a team approach that involves not only the child himself where applicable, but counselling people, administrative people, medical people, where the problem indicates a medical problem, and if something isn't mentioned in the Act in terms of where the direction is on that, and whose responsibility it is, it's left up for grabs and the whims of individuals.

One thing that causes a great deal of concern in reading over the Act, the Educational Administrative Consultant that's referred to, the duties don't seem to be very clearly delineated. The position doesn't seem to have any place in the system particularly, and the concern is caused by the fact that somebody that may be put in that kind of a position that does not appreciate the total child with regard to the educational system, and the whole person involved in it, could easily, on a convenient, or pressure of the day, or whatever, decide somebody's future. And I really don't think that's a fair kind of situation to allow to happen.

The other thing about the arbitrary age limits of six and 21 that are placed on the Act should really not be applicable to a person who has been denied access to the school system because of trauma or medical or emotional problems. If a teenager gets a traumatic accident and a spinal cord injury, for example, why can't it be possible for him to pick up his education and finish it, starting at age 20, after he gets through the rehabilitation system. Why do you have to set arbitrary limits for age limits for public education? There should be some method that you can word the Act — I don't profess to be able to tell you how to do that, but there must be some way of wording the Act so that those eventualities, those kinds of conditions and situations can be taken care

Thank you very much. That's about all I have to say.

**MR. CHAIRMAN:** Thank you, Mr. Jenkins. Questions for Mr. Jenkins? We thank you for your presentation, sir.

I call Mr. Laurencelle. Has he arrived yet? Proceed, Mr. Laurencelle.

**MR. ALFRED LAURENCELLE:** Thank you, Mr. Chairman. I'm Alfred Laurencelle, President of l'Association des Commissaires d'Ecoles Franco-Manitobains, or the French Association of School Trustees.

We are pleased to be able to make this presentation to the committee of the Legislature. First, let me inform you of the previous steps undertaken by our association regarding revision of the Public Schools Act which affects the languages of instruction, section 79.

Our association, which regroups French-speaking school trustees of school divisions that are involved in French education, regards Section 79 of the proposed revision as most important. Because of our direct involvement in French education, we feel that we are in a privileged situation with regard to evaluating the proposed revision of Section 79 of The Public Schools Act.

When the government announced its intention to revise the Public Schools Act, we immediately asked our membership to gather all pertinent information regarding revisions they would like to see brought to Section 258.

Following executive committee meetings and after consultation with different educational agents, we formulated our study in a brief submitted to the Minister of Education, Honourable Keith Cosens. There is an attached copy.

On January 9, 1979, we discussed our paper with the Minister and explained to him the reasons behind our position. The Manitoba Association of School Trustees was also informally informed as to our demands concerning changes we would like to see brought to Section 258.

Basically, our provisions focus on three major areas of concern to us as trustees in the discharge

of our responsibilities.

(1) A definition of French language schools and of French Immersion schools.

(2) A transportation policy that would provide accessibility to designated French language or Immersion schools.

(3) The establishment of an appeal mechanism that would hear appeals and make recommendations in the settling of local disputes regarding French education.

It is to be noted that all three major concerns are totally ignored in the proposed revision.

In reaction now to the proposed revision, let me make the following comments:

In Section 79(2)(b) replacing 258 (2)(b), our interpretation of this section is that the teaching of a language other than French or English has to be done during the time allotted to the teaching of French and English subjects. Section 258(2)(b) allowed the teaching of a language other than French or English at other times.

The proposed revision would penalize students presently enrolled in Francais or Immersion programs who may wish to study a third language.

Section 79(3) replacing 258(8). In this section, the word "division" has been replaced by the word "school". The geographical area from which students can be gathered to form a class would be severely limited, rendering this section of the Act quasi-inoperative. Furthermore, school districts have been eliminated from this section of the Act. We feel that the law should apply equally to all Manitobans.

Section 79(8) replacing 258(3). It remains unclear as to who may refer matters to the Languages of Instruction Advisory Committee regarding the use of languages of instruction in public schools.

Section 79(9) replacing 258(4)(6). It is strange to note that an independent association such as the Commissaires d'écoles franco-Manitobains has one of its members nominated by another independent association, namely the Manitoba Association of School Trustees, to the Languages of Instruction Advisory Committee.

Section 79(10) replacing 258(13). In this section, it seems that the Minister can make regulations only regarding the Languages of Instruction Advisory Committee, and Section 78(5). In 258(13) the Minister could make regulations regarding all subsections of Section 258.

In conclusion, be it known that our Association fully supports the brief presented by the Manitoba Association of School Trustees and in particular Section 79 which raises the same areas of concern.

We thank you for your attention.

**MR. CHAIRMAN:** Thank you, Mr. Laurencelle. Questions of Mr. Laurencelle? Mr. Walding.

**MR. WALDING:** Thank you, Mr. Chairman. Mr. Laurencelle, you mentioned in the first page of your brief that your association has to do with French-speaking school trustees, yet the name of your association would suggest that they are Franco-Manitobans. Do you have members of your association who are not Franco-Manitobans but whom . . .

**MR. LAURENCELLE:** They are all Franco-Manitobans.

**MR. WALDING:** I'm going to ask you the same question I've asked other groups. You mention in your brief French language schools and French Immersion schools only, yet you're probably aware that there are some bilingual schools set up by demand from parents who wanted a 50-50 course. You don't make mention of them. Can I ask you why?

**MR. LAURENCELLE:** Yes, sir. We tend to encourage the best school organization that would meet the expectations of Bill 113. We feel that the French Immersion school for Anglophones would be the answer, and the Francais school for those who want to retain their French education, their French culture, are the best, according to us. We've done some research, we've listened to some of the studies that were done in other provinces, and we feel that it is in our duty to encourage, especially those schools that will better answer the needs of the Francophones or the Anglophones who want to learn French through immersion or l'école Francais.

**MR. WALDING:** I don't blame you for promoting what you feel is the best form of education. I'm only asking that for those parents who have chosen to go that other route, for a bilingual school, do you not think there should be a definition of what type of school in the Act as well, and that a transportation policy which you say should come in should also apply to that other type of school.



**MR. LAURENCELLE:** I'm certainly not against the decision that will be taken by the committee as to define the bilingual schools.

**MR. WALDING:** So you would have no objection to the third option remaining?

**MR. LAURENCELLE:** No, certainly not.

**MR. WALDING:** Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Any further questions? Thank you for your presentation, Mr. Laurencelle. I call David Osborne, No. 43. You can proceed, Mr. Osborne.

**MR. DAVID OSBORNE:** Thank you, Mr. Chairman. As my presentation says, I am here representing the Manitoba Branch of the Canadian Parents for French. C.P.F. is dedicated to promoting the best possible types of French language learning opportunities for Canadian children. We thank you for this opportunity to come forward.

The first and most important point we wish to cover regarding Bill 22 is in section 79(3), "The Use of English or French as a language of instruction". It seems that a gross error was made while condensing the equivalent section of the old Act namely, the use of the word "school" where "grade" should have been used. The section, as printed, starts with "Where in any school division, there are 23 or more pupils in an elementary school or a secondary school who may be grouped in a class for instruction. . . ." This would mean that there would have to be 23 children in one school, rather than in one whole school division to cause the creation, for instance, of a French Immersion class. In most cases we know of, this would be impossible. For instance, in one urban school division with 13 elementary schools, there are only 75 children in French Immersion kindergarten. That's an average of less than 6 children per school; far below the wording as in this Bill 22 of 23 students per school.

Section 79(7), which refers to interdivisional grouping of students further reinforces our assertion that section 79(3) was meant to allow grouping of students in each grade from a whole school division. We are concerned that if this wording is not corrected it could, in the future, prevent an Immersion program from being created.

In Section 79(9), "Composition of Languages of Instruction Advisory Committee", we see that while combining the currently existing two committees, the English and French, the members nominated by the various universities have been removed, leaving five members to be appointed as the Minister sees fit. In the same way that consumer groups of all kinds are becoming more militant, we feel that Francais and Immersion parents as the "consumers" in this case, must have representation on this committee. The five members to be chosen by the Minister should therefore be reduced to three, with the other two being chosen from persons nominated by, respectively, the Manitoba Branch of Canadian Parents for French, and La Federation Provinciale des Comites des Parents.

Finally, in some school divisions, after parents have managed to get a French Immersion program started, the equal opportunity for all students to attend that program does not exist because of lack of transportation. Section 43 of the new Bill provides that, and a partial quote of it ". . . where transportation of pupils is required, it shall be provided. . ." That's an improvement that has long been needed. We suggest that a reference to that section 43 be appended to section 79(3) which covers the grouping of students into such a class, as French Immersion.

I thank you, gentlemen, for the opportunity to present our thoughts.

**MR. CHAIRMAN:** Thank you, Mr. Osborne. Mr. Cosens.

**HON. KEITH A. COSENS:** Mr. Osborne, the first observation that you make in your presentation is indeed an error in the drafting and it does not refer to students in a school but in a division.

**MR. OSBORNE:** I'm glad to hear that, sir.

**MR. CHAIRMAN:** Mr. Walding.

**MR. WALDING:** Mr. Osborne, I'd like to ask you the same question that I've asked previous delegations on this subject, and that is that your brief refers to only two types of education in French and that is the French school and the Immersion school. You don't refer to the third option which is a bilingual school. Do you share an equal concern for the students who go to that school and

do you feel that the same option should remain?

**MR. OSBORNE:** Mr. Chairman, Mr. Walding, I certainly do. In my first paragraph I mention that our charter, or the reason, shall we say, for the existence of our organization, CPF, talks about the best possible types of French language learning opportunities. We do feel, from the research that's been done, that full early Immersion is the best type for anglophone families. We do not in any manner preclude people choosing 50-50 bilingual education or even late Immersion. Our organization is supportive of all these. The reference later in my presentation to only the two types is mainly drawn from the fact that we have an Immersion Parents group; there is a Francais Parents group. I know of no organized parents group of children attending bilingual schools.

**MR. WALDING:** Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Any further questions? Thank you for your presentation, Mr. Osborne.  
I call Mr. Guy Smith, No. 56 on your list.

**MR. GUY SMITH:** Thank you, Mr. Chairman.

The Conseil Jeunesse Provincial is a province-wide organization representing French speaking youths between the ages of 15 and 25. As such, our membership is composed of high school students, university, and community college students as well as those youths who have joined the labour force. As an organization and as an identifiable entity, it is in our best interest and with deep conviction that we vocalize our solidarity with all those who seek to maintain and develop the French-Canadian language and culture in Manitoba. In its six years of existence, the Conseil Jeunesse Provincial has sought with energy to firmly establish the voice and importance of our membership within our own community as well as within the community of Manitoba as a whole.

An organization whose members are mostly students, must of course keep this in mind. To this effect, we wholly endorse the Bill of Rights and Responsibilities presented by the Manitoba Association of Student Councils. We point out that this Bill is more than a Bill of Reights; it is a Bill of Responsibilities as well. Furthermore, we wish to emphasize three points contained in the said Bill, which we feel are a must if we students are to develop into mature, self-guiding responsible citizens:

1. Each individual should have an equal opportunity to make for himself or herself the life that he or she is able and wishes to have in accordance with his or her duties as a member of society, and should have an education which is consistent with these aims.

2. Education in Manitoba high schools should promote the full growth and development of each student's potential to the end that he or she will become a self-reliant, self-disciplined participating member of society within a democratic context.

3. Students develop responsibility by being placed in situations where they are systematically provided with the opportunities for exercising options in order to learn skills that will enable them to shape thei physical and social environments.

As French-speaking students, the future of our language, community and culture, concerns us deeply. The Public Schools Act of Manitoba as revised will play a role in determining this future. Education is second only to the home in its importance as an agent of reinforcement of language and culture. We cannot speak on behalf of parents, administrators, teachers, or school trustees. But as the individuals who are most directly affected by the system of education as it is today, we can state that there are three main areas which we feel must be dealt with during the course of this revision of The Public Schools Act.

Bills 59 and 113 re-established the French language as a legal language of instruction in Manitoba schools. However, naive as it may sound, classes and schools are needed if these laws are to have any meaningful effect. Too often in the past, Francais courses and classes have been integrated into basically English language schools. Even worse, Francais courses, classes and schools have been either denied or obtained only after strenuous and bitter confrontation. We cannot forever leave the very existence of French language or Immersion schools at the mercy of a few individuals or an election. Other provinces have designated many schools specifically for use as French language or Immersion schools. Formal recognition of these schools as they exist today and as may be necessary in the future is the only way to achieve lasting peace in the field of Francais and Immersion education. Such schools, of course, would fall under the same criteria as any other if and when questions of opening transfer, amalgamation or closure come forward. We ask for no more, but no less than the criteria presently used for other schools in the province.

Access to these schools is another contentious area. We may choose to call this transportability of rights. We are aware that certain school divisions do not have sufficient demand for the

establishment of a Francais or Immersion school. However, every reasonable effort should be made to ensure access to these schools to those who desire this type of education. To this effect, section 41(6) should at least be maintained as presented in Bill 22 and expanded to include transportation of students to schools offering the desired program and this at no cost to the parent or student. Again, this latest request is subject to administrative feasibility and to the basic principles of economics.

Our third and last point, also one which has already been presented to this committee, deals with an effective appeal mechanism. Such a "mechanism" would deal with contentious issues between parents and school boards, interpretations of the School Act as well as the "reasonableness" of a request etc. No longer do we wish our means of education debated all over the streets and in the newspapers. Education is too precious an experience to be dealt with in such a manner. Surely, there is a civilized way to settle contentious issues. The make-up of such a Board or Commission can be left to those who are most able to perform such a task. What is important to us is its useful function and its socially desirable effect.

Gentlemen of this Committee, we thank you for your kind attention.

**MR. CHAIRMAN:** We thank you, Mr. Smith. Any questions? Mr. Boyce.

**MR. BOYCE:** Mr. Chairman, on page 3, reading from the first paragraph, "Even worse, Francais courses, classes and schools have been either denied or obtained only after strenuous and bitter confrontation". In other areas where the Act has suggested that certain courses or certain programs be provided, and the law says "shall" and then we try to fudge that a little bit to give it some practicability, from your understanding of the way that things are now, are there some questions like this when the school board has a decision to make and they are in a, as you refer to it a "bitter confrontation", would there be some benefit to have a conciliation function in there. In places in the law like in labour disputes and things like that where you have two groups and ofttimes there are strong emotions, and when you put people necessarily in a confrontation; they have no other way of getting at it, you know, getting at the problem that they want to resolve, except to confront each other. And in trying to resolve some of the difficult problems in our society we use what we call a conciliation service where a, well, with the teachers, when they're in a confrontation situation with the school board relative to wages, there is a process in the law which calls for a conciliation officer and these people, over a goodly number of years, have developed a very good body of knowledge and know how in trying to get people to resolve differences. In fact, they solve many many difficult disputes. And you know, reading in the newspaper about some of the confrontations that you refer to, do you think that this may be of some benefit of having some of these questions resolved by something other than a confrontation between the parents and their elected officials?

**MR. SMITH:** Mr. Chairman, I think there is evidently a better way to take care of situations, as I mention on page 4, "No longer do we wish our means of education debated all over the streets and in the newspapers" and that's why we refer to an "appeal mechanism", a mechanism that would deal with such things.

**MR. BOYCE:** Thank you, Mr. Smith, that's what prompted the question. As a mechanism; have you thought what that mechanism might be rather than just put in the law some specific sentence which people will think will solve the problem?

**MR. SMITH:** Mr. Chairman, I don't think the question is too clear to me.

**MR. CHAIRMAN:** Okay. Mr. Boyce.

**MR. BOYCE:** You say that a mechanism should be made available, rather than confrontation tactics.

**MR. SMITH:** Yes, Sir.

**MR. BOYCE:** How specifically, you know, what kind of an mechanism did you have in mind when you say, you know, just general mechanisms, have you a specific mechanism in mind?

**MR. SMITH:** Mr. Chairman, I think, presentations over the week have described the mechanism, and I think it would be a mechanism that would have the last say to these decisions and there would not be any confrontations. The confrontations would be every day, or there wouldn't be any confrontations, or there would be a lot less.

**MR. BOYCE:** Okay, thank you, Mr. Chairman.

**MR. CHAIRMAN:** Any further questions of Mr. Smith? Mr. Walding.

**MR. WALDING:** Yes, Mr. Chairman, and Mr. Smith. I'm a little surprised to read your statement that Mr. Boyce has referred to, on Page 4, "no longer do we wish our means of education debated over the street and in the newspapers." Let me put it to you in the form of a question. Don't you think that all important public matters, such as education, and it's one of the most important, ought to be a matter for public concern, public debate. In fact, if it were done more so then we might see all of these chairs here occupied by interested people, rather than the six people I see now sitting in the audience.

**MR. SMITH:** Mr. Chairman, I think that our education is much too important to leave it at the mercy of such confrontations that sometimes take way too much time. You'll excuse the example, but I can give the example of Penetanguishene, a town in Ontario, who has been waiting two years for a school, and that's the problem. With there being no appeal mechanism and the fight being in the streets, I think, there have been examples in the past just as with schools in Ste. Anne, Precieux Sang, where the confrontations have been pretty ugly.

**MR. WALDING:** May I ask you, just as a general principle, is it better to have decisions made by the elected representatives of the people, or by an appointed board?

**MR. SMITH:** Mr. Chairman, I think an elected board is what we are asking for here.

**MR. WALDING:** Thank you. I'd like to move on to the same question I've asked the previous two, and that has to do with your reference here only to two types of schools, and no mention of the third option that has been provided under Bill 113, and due to request or demand by parents who want that third option. Are you suggesting that it should not be an option in the future, or that it should be given equivalent status to the other two categories that you mention?

**MR. SMITH:** I think, seeing as there are parents asking for it, I think, that we cannot help but include it. But, you know, the concept of the 50/50 program was presented as something like a magical solution to education, most of the French education, and the studies show that bilingual schools are a factor assimilation.

**MR. WALDING:** I didn't catch the last . . .

**MR. SMITH:** Factor assimilation, or assimilatory factor.

**MR. WALDING:** I'm sorry, who is being assimilated by whom in the 50/50 course?

**MR. SMITH:** In the sense that a student, whether he be English or French, who comes into a bilingual school to learn French, cannot learn it because the social pressures in the school are too strong for him to be able to practise his French. And, that is why we are more in favour of an Immersion School where an Anglophone can go there and learn his French; or for Ecole Francaise where the social pressures are not as great.

**MR. WALDING:** If the choice that a parent makes, between sending his child to the neighbourhood English school where he gets French once a day for 40 minutes, or once a week for 40 minutes, or something, or a 50/50 course, would that child be more likely to come out with a better knowledge and understanding of French in the second instance than in the first instance?

**MR. SMITH:** Oh, I'd say, definitely, somebody who would be in a 50/50 program would have a better chance of coming out with being able to speak both languages. But, what I'm saying is that the 50/50 program was presented as a magical solution, and theoretically that's all it is, practically it doesn't help at all, or very little.

**MR. WALDING:** Thank you, Mr. Chairman.

**MR. CHAIRMAN:** Anyfurther questions of Mr. Smith? We thank you kindly for your presentation, Mr. Smith.

**MR. SMITH:** Thank you.

**Privileges and Elections**  
**Thursday, October 25, 1979**

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**MR. CHAIRMAN:** I call on Mr. Roy Benson. Is there any other gentleman in the crowd that would like to make a presentation to the Committee, or lady? Then the Committee rise and meet at 8:00 o'clock. Tonight we have No. 40, Patty Sullivan; No. 42, Mr. Garwood; No. 50, Evelyn Reese; No. 63, Mr. Ken Karlenzig will be here. Those are four that have indicated their presence here tonight. Mr. Boyce.

**MR. BOYCE:** Before we rise, we have a written brief presented by the Certified General Accountants' Association of Manitoba which contains a letter addressed to the Committee in which they make reference to the Provincial Auditor. Now, I would move, Mr. Chairman, that this letter be referred to the Provincial Auditor for an expression of his opinion.

**MR. CHAIRMAN:** Agreed? (Agreed) Committee rise until 8 o'clock.