

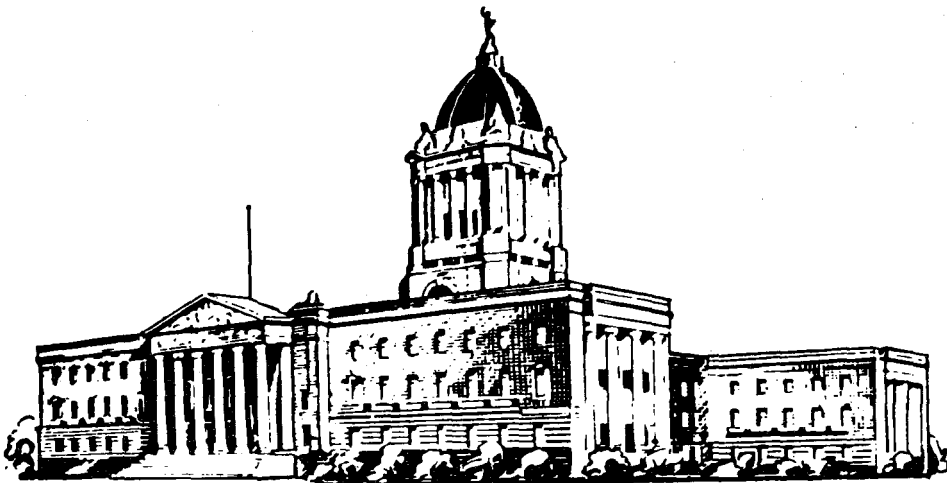


Legislative Assembly of Manitoba

STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Chairman:

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



Thursday, October 25, 1979 8:00 P.M.

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

Time: 8:00 p.m.

CHAIRMAN, Mr. J. Wally McKenzie.

MR. CHAIRMAN: Committee will come to order. The first matter, I've got a letter from the Clerk, Mr. Reeves, regarding the inquiry from The Pas, and I'll read it into the record.

"Authority to hold public hearings outside of the Legislative Building. I have discussed the matter of the standing committee on Privileges and Elections, travelling to The Pas to hear public representations on the matters referred to with the Legislative Counsel. Mr. Tallin states that he agrees with my interpretation of the situation, and since our rules are silent on the particular problem, the provisions of Beauchesne, Fifth Edition, Citation 599 must obtain. Without the specific authority of the House to sit outside the Legislative Building, the committee has no authority to do so. I pointed out that the last resolution which I could find, 1975 Journals, Page 249 and 250, contained the phrase, 'to hold such hearings as the committee deems advisable'. Mr. Tallin said that he would regard this to constitute authority for committee to hold public hearings where and when desired."

The other matter . . . Mr. Boyce.

MR. J. R. (Bud) BOYCE: Mr. Chairman, just on that point, I would think that the committee has no other alternative but to accept the advice of the Clerk. But nevertheless, it's regrettable that the government resolution precludes, it's their resolution we're dealing with and it hadn't come to my attention before that this rule would apply, so it is regrettable that the government has not put a resolution that would authorize us to have hearings outside the city of Winnipeg. Most regrettable, Mr. Chairman.

MR. CHAIRMAN: We certainly can look at it in that direction. My concern was, as the Chairman, to find out if we had the authority to . . .

MR. BOYCE: I wasn't questioning the Chair, Mr. Chairman.

MR. CHAIRMAN: Any further comment? The other matter, that is, adjourning tomorrow at noon. Is that agreeable to the committee? (Agreed) And then we sit again Monday morning. Proceed then.

MR. RONALD McBRYDE: Mr. Chairman, I have a question on the first item that you raised. I'm sorry, I think I was ten or fifteen seconds late and I missed the main part of what you had to say. I wonder if you could repeat the Clerk's . . .

MR. CHAIRMAN: Yes, it's the Authority to hold public hearings outside the Legislative Building, Mr. Reeves. "I have discussed the matter of the standing committee on Privileges and Elections, travelling to The Pas, to hear public representations on the matters referred to it with the Legislative Counsel. Mr. Tallin states that he agrees with my interpretation of the situation, and since our own rules are silent on this particular problem, the provisions of Beauchesne's Fifth Edition, Citation 599 must obtain. Without the specific authority of the House to sit outside the Legislative Building, the committee has no authority to do so. I pointed out that the last resolution which I could find, 1975 Journals, Pages 249 and 250, contain the phrase, 'to hold such public hearings as the committee deems advisable'. Mr. Tallin said that he would regard this to constitute authority for the committee to hold public hearings when and where desired."

MR. McBRYDE: I'm having trouble interpreting the interpretation. The interpretation then says that unless there is wording that says, "as the committee deems advisable," then somehow we are

Is that . . .

MR. CHAIRMAN: That's the way I interpret it. He said, "without the specific authority of the House to sit outside the Legislature, the committee does not have the authority to do so."

MR. McBRYDE: Mr. Chairman, I have the problem of I guess of, as I said earlier, of not being an authority on the legislative procedure and rules. When I contacted the Minister of Education when the hearings were finally announced, the hearings that we're now going through, his advice was that this committee would decide where the meetings would be held, and I think he gave the same advice to the Member for Churchill on his inquiry; and I think it would rather unfortunate if this — I'm assuming that if it was the will of this committee to meet outside the Legislature that we could probably find a way to do it. But not being an expert on the rules, I don't know that's the case. But I'm assuming that if we wanted to we could probably find a way to do it without much trouble.

MR. CHAIRMAN: Well, I'm not certain either that — you know, the financing, the pay of moving the committee from the House. I'm going to check with the Auditor and maybe we could catch him in the morning and see what his opinion is, if the moneys that would be expended would be acceptable to him. to see if . . .

MR. McBRYDE: Mr. Chairman, I would certainly appreciate it as a committee member if you would explore those other experts, or people, who could give us advice on this matter.

MR. CHAIRMAN: Mr. Walding.

MR. D. JAMES WALDING: Mr. Chairman, you quoted a 1975 . . .

MR. CHAIRMAN: Journal, yes.

MR. WALDING: . . . something, which apparently authorized a committee to sit wherever and whenever it wanted to. Now was that a special committee or was that a motion setting up the Standing Committees? Perhaps you could advise whether that 1975 ruling is still in effect, and would affect us?

MR. CHAIRMAN: It was on the motion of the Honourable Mr. Uskiw. "Whereas the Legislative Assembly of Manitoba on the 30th day of May, 1974, constituted a special committee of the House consisting of Messrs. Green, Uskiw, Adam, Barrow, Blake, Bostrom, Boyce, Ferguson, Graham, Henderson, Johannson, Johnson, Jorgenson, Shafransky and Walding, to enquire into the matters relating to the property rights and lands within the province, and Whereas the said committee in its report to the Legislature recommend that the special committee be continued in order to provide the citizens of Manitoba with further opportunity to express their views in matters relating to the use and the ownership of land in the province,

THEFORE be it resolved that the special committee appointed to enquire into the matters relating to the property rights and lands within the province, on the 30th day of May, 1974, be reconstituted and reappointed to enquire into matters relating to property rights and agricultural and recreational lands within the province,

AND BE IT FURTHER RESOLVED that this special committee consist of — the names are all there — and be it further resolved that this special committee be authorized to hold such public hearings as the committee deems advisable and to report its findings and recommendations to the House at the next Session of the Legislature."

And that was the one that you referred to, Mr. Walding.

MR. WALDING: Mr. Chairman, that's obviously a special committee that was set up to do a special job and given its own terms of reference. I wonder if there was any reference made in there to the Family Law Hearings, which I believe were dealt with by the Statutory Regulations and Orders Committee, and that committee, I know, did travel out of the city to hold hearings.

MR. CHAIRMAN: Well, we can look it up, tonight the Family Law and we can use that for our reference.

MR. WALDING: I believe that would have been 1977 or possibly the end of 1976, maybe November, 1976.

MR. CHAIRMAN: I don't find any reference to any committees.

The Premier appointed the standing committees, which committees shall have, be empowered to examine and inquire into all such matters and things that may be referred to them by this House, and to report from time to time their observations, opinions thereon, with power to send for persons, papers, documents, and examine witnesses under oath.

Privileges and Elections, and members of it. Public Accounts. It was a special committee, wasn't it?

MR. WALDING: I think it was a standing committee.

MR. CHAIRMAN: He appointed them and then it has Privileges and Elections, the members of it, then Public Accounts, then Public Utilities and Natural Resources Committee, Agriculture and Municipal Affairs, where the Law Amendments, Private Bills, Industrial Relations, statutory Regulations and Orders, Economic Development — oh yes, a special committee of seven persons, Land Use, Page 22 and 23, a special committee . . . prepare the list of the standing committees for the House presented its report . . . that's not the one.

Land ownership report, ombudsman, a special committee re the appointment of the ombudsman, committee of supply, ways and means, condolence. I don't see any special committees in that year. We can check it and we'll proceed with the . . . and maybe we can find a reference before we close.

MR. BOYCE: Well, Mr. Chairman, it would be expeditious to have the Minister and the Chairman and the Member for Radisson and the Member for The Pas go as a sub-committee of the committee to listen to the briefs.

MR. ABE KOVNATS: Mr. Chairman, it sounds like a wonderful idea but I think that would require further discussion before we decide on such a choosing of personnel.

MR. WALDING: Mr. Chairman, I wonder if it would not expedite the work of the committee to carry on with any hearings that, any briefs that might be here and maybe come back to this when we have some more information.

MR. CHAIRMAN: I call Mr. Garwood. No. 42 on the list.

MR. JIM GARWOOD: Thank you, Mr. Chairman. My name is Jim Garwood. I'm a school trustee in St. Boniface School Division. I'm presenting this paper — I was going to say as an individual — as a concerned trustee and I'm not being supported by hordes of clammering citizens that are behind me here tonight. But at the same time I would like to say that I think I could find a great number of people who would be prepared to come down here and prepare to sign a petition, or whatever, to indicate that there is some degree of support for what I have to say in this paper. So I shall proceed.

MR. CHAIRMAN: Proceed, Mr. Garwood.

MR. GARWOOD: Thank you for this opportunity to address you on the subject of the proposed Public Schools Act for Manitoba. The new bill will bring education into the 1980s and we are not likely to see much change in legislation in the near future and in fact, probably not for the next decade. It is important, therefore, that concerns be voiced to the legislators now.

Although the general reorganization of the Act is praiseworthy and although several changes included in the bill need close examination before being adopted by the Legislature, it is my contention that one feature is noticeably absent from the bill. It is not my intention to review the many sections of Bill 22 but rather to concentrate my remarks on one specific item: Open School Board meetings. And I make reference here to Sections 29 to 40 in which meetings of trustees, for example, are discussed or are elaborated on in the bill.

Freedom of information and open government are relatively new concepts in the Canadian political debate. It was only a few days ago in the Speech from the Throne from Ottawa, that we officially received notice that the federal government would bring in a bill dealing with freedom of information. It apparently has now been tabled. Since this subject has not yet had a complete airing in the Manitoba Legislature and since admittedly there are difficulties in implementing such rules for the provincial government, I would like to humbly submit to you that the place to start with openness in government is at the school board level. If Bill 22 were amended to incorporate a

requiring that school boards in Manitoba hold all their meetings in public, the experience could well serve as an instructive guide to legislators if and when they were to consider the same subject at a later date for the provincial scene.

Present legislation in Manitoba does not prevent school boards from making decisions behind closed doors. The result of closed meetings is that boards debate issues, make decisions and then inform the public of their deliberations. This is not the way to ensure public confidence in democratic institutions.

The central problem regarding secrecy is, of course, that the public suffers. Citizens are unable to hold elected officials accountable for their actions, and representatives in turn, are less responsive to the needs and the wishes of citizens. The public is thereby denied knowledge and consequently disenfranchised. No wonder secrecy breeds suspicion.

Let me enumerate a few examples from first-hand experience of subjects dealt with at in camera sessions by my own board, and as I list them the school division budget; closing and later reopening a school; administrators' salaries; expansion of the French Immersion program; an official opening of a school addition. In addition to the listed items, of course numerous other ones exist, such as personnel, negotiations and litigation issues.

I might just diverge from that and say that there apparently could be, from my reading and research on the matter, I think very sound grounds to argue in fact that even if one were to make the case that there ought to be restrictions on school boards from having all their meetings in an open session, and usually the argument is made that personnel, negotiation and litigation items would be the ones that you would want to preserve behind closed doors, I would at this point like to make mention of an experience that I had when I lived in Boston for awhile. At that point, over the radio it was very interesting to hear that the selection of a superintendent in a suburb of Boston was well-known by the citizens of that community, in fact all the candidates for the position, their names were well known, it was broadcast, and publicized in the newspapers.

And somehow or other, upon reflection on that, I didn't see that that matter was curtailing the development of education in Cambridge. In fact, the superintendent probably is the key indication of the direction a school division would take, and it strikes me that that being the ultimate of personnel matters should be certainly one that is in the open for the public to be aware of and have some indication of which direction the school division is taking.

I think the same with negotiations and litigation items. Again, the American experience is useful to us, because there many of the States have passed sunshine laws. Anyway, to proceed with what I have written here.

Please do not misconstrue my concern from the fact that I present examples from my own experience. With a little research, I could probably provide numerous examples from other boards. I think if any of you have attended school board meetings, you will probably have seen this or realized what was happening, and I'm certain that some of you have.

The central point we should keep in mind here is whether any of these subjects mentioned above or any other subjects that are kept in secret, is worthy of that secrecy, not who does it or to what degree.

Let me give some of the reasons why I believe open school board meetings should be the rule. I will then attempt to explain why it is necessary to legislate this change into the new Public Schools Act.

Secret meetings in a democratic society seem to be a contradiction. We should do everything in our power to ensure that the public is well informed about all activities of government, no matter the level of the government. The public not only should be informed but it has a right to know. Citizens' rights should extend beyond the right to pay taxes, since the public pays the bills. It has the power or the privilege to be "in the know".

Were decisions made at open meetings, trustees would be forced to make logical, coherent and factually accurate statements when discussing issues or be prepared to at least accept the consequences. The political process would be enhanced as a result of open decision-making.

Abuse of political power and responsibility is not condoned by anyone. Yet information is power and it should be readily made available to the public. One way of ensuring that this occurs is to mandate open school board meetings throughout Manitoba. Government belongs to the people and you have the power in your hands to ensure that school boards act as servants of the people rather than as the masters of the people.

It is said by people like "Jed" Baldwin that the greatest of defenders of government secrecy are the bureaucrats who wish to preserve their own records of infallibility. At the school board level this is probably equally true. As you are probably aware there is a great deal of unintentional "role inversion" carried on by school trustees. That is to say, once elected trustees quickly change from being representatives of the public interest to defenders of the administration's interests. The reason for this inversion is that most trustees are caught in the trap of trying to deal with experts on an

equal footing. We become overwhelmed by their knowledge and succumb to the information they present to us. We then begin to accept their point of view as our own. Therefore, to counteract this development, legislating open school board meetings would serve as a constraint, or a constant reminder on the trustees' responsibility to the public. This does not mean of course, that boards are necessarily opposed to their administrations.

Over the past few years the United States has provided numerous examples of new Sunshine Laws. Riddled with problems relating to those laws — and some of course going to the Supreme Court for a decision — a great number of states have still adopted measures to ensure public access to information. In several instances, board members in the United States can be held liable for prosecution for breaking the rules of open meetings. Admittedly, circumvention of the law is possible, and probably does happen, but despite deficiencies open meeting laws do serve a useful purpose.

With the U.S. experience behind us and armed with the knowledge that the United States public school system has indeed survived open meeting laws, then perhaps it is time to consider an amendment to Bill 22, which would safeguard the public's right to information, through ensuring open school board meetings.

Part II of Bill 22, under the heading, "Meeting of Trustees", could be revised to include a section requiring open school board decision-making.

If the proposed legislation, Bill 22, does not come to grips with the issue of open school board meetings, then the present practices will continue, and it is the public, the taxpayers who will continue to suffer. School boards will never willingly shed the cloak of secrecy when it is in their own interests to keep the information to themselves. Board policies cannot be relied upon to remedy this problem since they can so easily be changed or ignored by trustees.

I guess that reflects on the position of government versus the position of opposition. If one is in opposition, one wants as much information as possible and when one is in government, one wants to preserve information as much as possible. This would seem to be a natural tendency, although I'm not accusing anyone of doing that.

Any consideration of openness in local government should include points such as:

(1) exceptions to the principle of openness which should be limited and specified in the law;

(2) provision for meaningful sanctions such as fines, voidability of laws improperly enacted and perhaps even dismissal of trustees from office;

(3) rules to cover all decision-making sessions of boards including committee meetings, so that you don't circumvent the intent if the law were to be changed.

In preparing this presentation, I have deliberately avoided talking on the numerous aspects of Bill 22. I have singled out one subject and asked that you give fair thought about the concept of freedom of information as it applies to school boards. We are not dealing with national defence secrets so you need not fear that the move toward sunshine laws in Manitoba will imperil the nation. What I am proposing has proven successful in other jurisdictions, and I, therefore, believe it is a safe course for Manitoba. I urge you, gentlemen, to consider carefully a change to Bill 22 which would help ensure Manitobans rights in a democratic society.

Thank you.

MR. CHAIRMAN: Thank you, Mr. Garwood. Questions? Mr. Walding.

MR. WALDING: Thank you, Mr. Chairman. Mr. Garwood, you're the first delegation that has come before us on this particular topic. Is it a problem just with your own school board, or do you know it to be a general problem? Or is it only a personal problem that you have?

MR. GARWOOD: I would like to try and distinguish this matter as clearly as possible from a personal concern and leave it on a general level, because I can go around to other school boards and talk to other board members and find that they do a lot of the things that I see happening in our school division. The only difference is that perhaps I make it more obvious because I speak out about it.

I believe you live in Norwood, and it's common knowledge, shall I say, that the Norwood School Board has closed meetings to make decisions, and then announces them at a public meeting. That's one example. My own member of the Legislature, probably having observed our proceedings, could come to the same conclusion about St. Boniface. I think if you went from board to board you'd find that there is a great deal of similarity in the way that boards operate and keep information to themselves.

And I also would add to that though, that I have done some research on the matter, and I find that it's not a — I may be the first person here addressing you on this issue, but it's not a secret.

It's not an issue that has never come before people before. There's all sorts of literature on it. Perhaps Manitoba has been missed out on the subject, but I do have a great deal of research and I'll leave it at that, I guess.

MR. WALDING: I assume that you have spoken out at your own school board about this particular topic. What has been the reaction? Do you have any control over the matters that are discussed in camera as against in public?

MR. GARWOOD: What I find, Mr. Chairman, is that although one speaks out against secrecy in school board meetings, issues seem to surface all the way along and there never seems to be any degree of consistency in what is actually held behind, or what topics are discussed behind closed doors. In fact, shall I say, as crisis depends upon school boards, suddenly the doors close and school boards then start making those tougher decisions behind closed doors.

MR. WALDING: You mentioned committee meetings. Are committee meetings open and public meetings, or are they held in secret?

MR. GARWOOD: Some committee meetings would be open to the public and there wouldn't be any problem. I think my concern in addressing my remarks to that earlier is in terms of not having, say, any open school board meeting, law, that said general sessions were to be open and the trustees decided to meet in committee and make all decisions at that level. I think you can have established the principle but if it's easily circumvented, then the principle is meaningless.

MR. WALDING: Mr. Garwood, you mentioned towards the end of your brief, and I didn't mark it, where you said something about mentioning an opposition. I was looking to see if I could see where the reference to it was. Maybe it had to do with the Legislature.

MR. GARWOOD: It wasn't in the brief. Perhaps it was just my remarks in between paragraphs.

MR. WALDING: Well then, let me ask you, do you see yourself as an opposition member on your own school board?

MR. GARWOOD: Not necessarily. I think I speak out on particular issues from time to time that may give me that appearance, but on many other matters, in fact probably if you did a statistical analysis, you'd find that on most issues, board members are unanimous. There's sort of a consensus conclusion to the deliberations.

MR. WALDING: Can I ask you then, if secret meetings of a school board are held, is it still necessary to bring a by-law or something for a decision to an open school board meeting?

MR. GARWOOD: My understanding of the present law is that there is no such requirement. You're required under the present Act to have one regular meeting each month, and school boards, of course have more than one meeting per month. It may not be entitled "a regular meeting" but it is a meeting, or several meetings, in fact, at which time, if all or a majority of members are assembled, by-laws can be passed. And those meetings need not be open.

MR. WALDING: Mr. Chairman, that comes as a great surprise to me that a school board can meet and pass by-laws in secret. I would have thought at least a by-law would have to have been at the public part of the meeting.

MR. GARWOOD: I think maybe I should just clarify the point. You used the word "by-law". Many items that are dealt with by the school board technically are not by-laws. By-laws are passed three times, a technicality. But most items are not by-laws that are dealt with. They are simply motions that are carried, and therefore action ensues.

MR. WALDING: You're telling me that those motions can be passed in private and the public would have no information on them?

MR. GARWOOD: Oh, yes.

MR. WALDING: If we were to put such a provision in the Act, do you think that it would be respected

by school boards, or would they get around it by having sort of a secret meeting, or even a coffee meeting before the meeting started and they would simply have their motions written out and passed one after the other with no discussions so that no one would be likely to realize what was happening unless they were very conversant with the issues?

MR. GARWOOD: In response to that, I think you could have a system established which, with some degree of penalty involved, would ensure that board members don't circumvent the law. I mean, it's just like the Income Tax Act, you certainly can circumvent it, but if you have enough teeth in the Act, then you don't try and do it, at least the majority of people don't try and do it. The odd board member might very well make a phone call to another board member and to another board member to arrange support for a motion, but by and large from reading about other jurisdictions they had some rather illuminating examples.

I guess one that comes to mind is the situation in North Dakota in which board members are very strictly required to have their meetings held in public and if they do caucus ahead of time, or anything like that, then they are liable to penalty. That is quite an effective way of ensuring that these things don't happen. In fact, the motions that are passed in open session — if a board in North Dakota has met previously to decide what the motion would and how to handle the matter — can be nullified and that at least allows the general public a certain means by which to redress their grievances, if school boards are not acting, shall I say, responsibly.

MR. WALDING: Can you give us some specific examples of matters that your own school board has dealt with in secret that you felt should have been dealt with in open hearings?

MR. GARWOOD: Well, there's probably a list — and I probably left it at home — but just from memory, such things as discussing the budget, I found is one of the most glaring examples where you spend something between — at least at the time probably is around \$13 million — how to allot that money and on what programs, what staffing, etc., was discussed behind closed doors. In fact it was a very interesting example because at that particular time the newspapers were reporting — or attempted to report — the proceedings of the board and the Chairman and the majority of the board members at that point had them thrown out. That's one example.

Another one that comes to mind perhaps is a simpler one such as having an official opening of a school, because it might be controversial you don't discuss it publicly.

I don't think it's just the case of certain items, in fact. I can perhaps put it this way, a better example than that is, some of the other boards that I am familiar with literally decide all the issues ahead of time and then make the necessary presentation at the open meeting. Now all those matters, having been discussed, decided, agreed to, it makes the open meeting less meaningful in a democratic society because then you never know which members support which issue, and that's the virtue of the Legislature. We as citizens decide our voting outlook by what you say openly, and if board members can sit back and come to some sort of consensus, no one ever knows where people stand; but what they do know is the eventual result and they also know that things have been, well, sort of worked out between people with really, perhaps the implication that getting re-elected is the main objective rather than taking a position on a particular issue.

MR. WALDING: Can you tell me what communication the school board has with the parents or the voters in that division?

MR. GARWOOD: Yes. I think the schools are the most effective means by which communication goes from the school to the home. The school board — interesting lately, of course — depending on the issue, depending on the crisis in the community — and that applies to all school divisions — if there's something important then there's a lot of communication because people get involved and start turning out to school board meetings. In St. Boniface, in particular of recent time, we've had numerous people turning out to all our meetings for some time because of a particular crisis. But I think most people identify with the local school more than they do with the school board and its activities, in most cases, and in part that is because what happens at school board meetings is, that if you can avoid the ripples then you don't get people antagonized and they don't show up to meetings. So, therefore, there's sort of a built-in what, desire, to refrain from any controversy and any time you have controversy then you have communication with the home and with the parents, and it's better that it work the other way, that there be less controversy.

I don't know whether I really came to grips with your question, but that comes to mind right off.

MR. WALDING: Yes. One other question a little off the topic, if you'll permit me, Mr. Chairman,

it still has to do with education but not the subject of Mr. Garwood's brief. Have you received any communication from the Norwood School Division about the possibility of an amalgamation between those two divisions?

MR. GARWOOD: We had a meeting with the trustees of Norwood, oh, several months ago at which that item was discussed. Beyond that nothing has taken place. It was, literally, one meeting and that was it.

MR. WALDING: Was that a public meeting?

MR. GARWOOD: That was not a public meeting. That was a secret meeting.

MR. WALDING: That was a secret meeting.

MR. GARWOOD: So I'm letting you in on the secret.

MR. WALDING: Well, I won't ask you what came out of the secret meeting, then. Can I ask you if your school board has any policy on possible amalgamation with the Norwood School Division?

MR. GARWOOD: Actually, we do not. We have invited them to become part of the . . . what we have is a teachers' centre which is sort of a training area or bringing people up to date with the latest ideas on education and we happen to have the teachers' centre and the Norwood School Division does co-operate, and their teachers do come over there, and it's sort of like a small step towards amalgamation, a very small step. It's sort of a co-operation in that area.

We also, of course, co-operate in French education because a lot of their students come over to the St. Boniface School Division now. So it's rather a co-operative venture depending on the needs rather than an overall amalgamation, or shall I say even a re-uniting because at one time, of course, historically the two divisions were one.

MR. WALDING: Thank you. No further questions, Mr. Chairman.

MR. CHAIRMAN: Mr. McBryde.

MR. McBRYDE: Through you, Mr. Chairperson, to Mr. Garwood. Would you recommend at this stage that we, in Manitoba, go as far as the North Dakota type of legislation, or would you recommend some in-between kind of openness?

MR. GARWOOD: I'm not sure that you can have something in-between. I know that one of the organizations in the United States sent me some information — the National School Boards' Association, in fact — and it gave a chart in which it showed the provisions of the many Acts that have been passed in the American State Legislatures, and each of them of course has variations, but the general intent of most of them is similar and it's a common point of discussion to argue that there have to be meaningful sanctions in the Act, some sort of way of ensuring that it takes place. I don't think you could have sort of have a half way measure because right now we have a half way measure, School boards do have open meetings. It isn't as though they have all their meetings in camera. I'm suggesting that many of the important decisions though, are made in secret and that should be ended.

MR. McBRYDE: Would you accept a clause in regards to openness that read something like "all school board meetings should be open to the public as far as is possible and practicable"?

MR. GARWOOD: We have a policy under debate in our school board right now in which we have tried itemizing the subjects that could be held in camera. I happen to disagree with the general intent of our policy proposal because it lists so many things at this point, and at the bottom of the policy it says "and any other item that the Chairman so decides". Well, you're leaving me with the same notion that if you leave it wide open, that by good will, something will happen, and I think we could have a lot of good will and nothing will happen and I would also respond by saying that the Manitoba Legislature and the Government of Canada — the Parliament of Canada — have certain rules to live by, be it the BNA Act or The Manitoba Act or whatever, and I think school boards should live by certain rules as well. And those rules can't be established by the interested party. If they are, then they make the rules to fit themselves, for their own convenience.

MR. McBRYDE: Assuming from your answer then that the wording "as far as possible and practicable" would in your mind leave it wide open. . .

MR. GARWOOD: Yes.

MR. McBRYDE: In fact, make it have no effect at all.

MR. GARWOOD: Yes.

MR. McBRYDE: I have no other questions, Mr. Chairman.

MR. CHAIRMAN: Mr. Brown.

MR. ARNOLD BROWN: Mr. Chairman, quite a few of the questions I was going to ask have been asked already, but I understand that you start all your meetings as open meetings.

MR. GARWOOD: Not necessarily, in fact, other boards as well start their evening by having a closed session and then come into an open meeting.

MR. BROWN: Does your public then know when you have an open meeting or not?

MR. GARWOOD: We haven't been in the habit of advertising it although interested people can of course phone the school board office and ask when the next open school board meeting is, and generally they would receive — I presume they would receive the information that at 8 o'clock or at 7:30, the open meeting begins. In our school division that's more or less the practice that it begins at 7:30 and if there is something that has to be dealt with in camera before that, then it's dealt with before or when it's more convenient it's dealt with afterwards, at say, 11 o'clock, so that you try and schedule your open meeting to be convenient for the people that are at home and come down and don't want to sit there all evening.

MR. BROWN: Do you have a fairly good attendance from the public at your open meetings?

MR. GARWOOD: Well, in partial response I would say that because of the crisis in our school division of recent times over French education, we've had more than a good audience, literally, hordes of people, and that's gone on for months. So I don't think it's really a case that I could answer in terms of open meetings versus closed meetings but people that do attend do become a little annoyed if you've just had a closed session and they've come down here tonight and you people are in the other room having a meeting. You know, that's my personal experience. I've gone to other board meetings as well. I think that if you get an agenda and you see the items before you that they're dealing with, then you feel more comfortable that you did your thing that evening and listened to what was going on and then went home, but if you find that, well, you didn't quite hear all the important matters, in fact, you didn't hear the important matter of the evening, then you become a little suspicious of how school boards operate.

MR. BROWN: Is the news media present at your meetings, the newspaper reporters, your local paper, and so on?

MR. GARWOOD: Yes, yes, that's true. The Winnipeg Free Press and the local Lance have been covering our meetings rather regularly for some time, but as I pointed out earlier, the budget discussion in one instance required that the reporters leave the room.

MR. BROWN: Does the news media have access to the minutes of the meeting, even that portion which was held in camera after the meeting?

MR. GARWOOD: That's often a debatable point. Sometimes we release that information; sometimes we vote not to, so that some items are not for public distribution. Other items of in camera nature can be made available to the public. There's a lot of discretion at this point.

MR. BROWN: I suppose you would agree that there are certain times when you probably should be in camera, let's say for instance, when you're discussing problems with personnel and things of that nature, when you're in a discussion stage. Do you believe that that should be in camera

or should that be open to the public?

MR. GARWOOD: I used the example earlier of the hiring of a superintendent as a very important personnel matter. I think "personnel" again, covers a broad range of subjects, but let's go away from the hiring of a superintendent, to say to the dismissal of a teacher which is probably more relevant to this question.

I've given it a lot of thought and what I conclude is that, again from experience as well, I see nothing really wrong with having that discussion in public. For example, we had one teacher that was dismissed come to us in a closed session and air all her grievances about the administration, a lot of the facts of the case and a lot of the statements that she made were inaccurate, and you could probably make the case that, well, there is a good example of why meetings should be closed. On the other hand, what you might conclude is that the rights of the individual that's being dismissed, have greater chance of surviving successfully, in other words, the facts of the case may surface more successfully if the meeting were held in public, where the aggrieved individual would make his or her case to a board in an open session and where the board members couldn't start, you know, rambling along and saying all sorts of irrelevancies about the individual either. You see, it works both ways. If the person coming to us says that the principal of that particular school is, you know, some sort of yo-yo, we might come to the conclusion that we want to have some good evidence if that's the case.

Now, if you force the person to make that statement in public, then he or she will think twice about making accusations that have no substance to them, and the same happens to school board members. We can't accuse somebody of something unless we have some degree of evidence that that's really the case. I think if you have these type of meetings such as dismissals and I'm using that as one example, then the best way of defending the rights of the individual are in an open session and the best way to ensure that trustees look at the evidence is in an open session. Because I know what takes place in a closed session; all sorts of, shall I say convenient rationale comes forward, either why we should dismiss this person or why we should keep this person on staff. So I'm not really convinced at this point that you couldn't hold all your personnel matters in public and make those decisions publicly. And the same applies I think to students that are, shall I say, removed from the school division for carrying firearms or whatever the case may be. I think they should have a fair hearing before a Board and the decision should be rendered, but by having these things behind closed doors, I am never convinced — for example, you don't have to have the name of the person made public at a public meeting, and if there is thirty people in the audience, who knows which student is before you. Nobody even cares. In fact, as a trustee, the least of my concerns is ever the name of the student.

But somehow or other it strikes me that the rights of the individual would be better preserved in an open session, rather than when trustees meet behind closed doors.

MR. BROWN: Thank you.

MR. CHAIRMAN: Mr. Boyce.

MR. BOYCE: Mr. Chairman, in listening to your response to my colleagues, could you clarify for me — you can see no incident, you know, no excuse for meeting in camera, under no circumstance should a meeting be held in camera.

MR. GARWOOD: No, I don't think I have said that in the brief.

MR. BOYCE: No, but in going down a list of meetings which should be held in public, you have excluded very little, so I was just wondering if you see any occasion for meeting in camera.

MR. GARWOOD: I guess my first observation would be that boards generally hold those meetings in camera not for any reason other than convenience, and that seems to me to be the worst of all possible reasons. It is convenient for me not to have my neighbours know how I voted on a particular issue, because obviously they can get offended at me, so it is in my interest to keep meetings secret, and how I voted and discussed the matter in secret. But there are probably items that would come to mind. I can imagine if you were trying to draw up an agreement between the City of Winnipeg and a school division over a parcel of land, that it would be a matter of confidence within the school division of what we are prepared to offer and what they are prepared to accept. Let them deal with the matter as they wish to negotiate it and we will negotiate it from our position.

So I think you could find examples and I would be prepared to find examples where things could

be kept confidential. But by the same token I think that has to be specified in the law. I don't think you can have an Act that is open-ended and has a clause in it that says, "Well, we can have any number of school board meetings and it will be up to somebody's discretion as to which ones will be closed and which will be open." I think it would have to be worked out specifically. The only one that comes to mind is, say, a case of negotiating a parcel of land. That comes to mind first, because the other thing that we are so caught up in, in Manitoba, I guess, has always been secret negotiations with the teachers, and then you make the final announcement as to what the settlement was. The Board passes a motion to that effect and the teachers ratify the matter, and then it becomes public knowledge.

In many of the states in the United States now, of course, these negotiating sessions have been going on in public, and really I don't think the system has really broken down as a result of that.

MR. BOYCE: Well, of course, you are dealing with an entirely different system in the United States than you are in Canada as far as law is concerned. The Republican System is based on a written constitution. In Canada it is an entirely different system, but not to go into that.

So in this list of how you include and how you exclude as far as in camera meetings, how should that be written into law. My colleague suggested a couple of . . .

MR. GARWOOD: I think if you start off with that principle that all meetings be held in public — in fact I would put the period there personally and leave it at that, but if, as your question suggests, there ought to be certain restrictions on that, then those restrictions should be listed shortly thereafter, after you have made that general statement of principle.

MR. BOYCE: There is nothing in the law at the moment which prevents all school boards from having all meetings in public.

MR. GARWOOD: Right.

MR. BOYCE: So is not the solution to have school board members elected who subscribe to that rather than pass a law which . . .

MR. GARWOOD: Well, if that were the case, then open meeting laws would be here today. We would not be discussing this matter tonight, if, in fact — I put it this way. I think if you went to any public meeting, townhall meeting, during a school board election campaign and asked all the candidates, "Where do you stand on open meetings?" Who would you find that stood up and said, "I believe in closed meetings." Who would say that to the general public? Everybody believes in motherhood at that stage, it is only after you are elected that you close the meetings.

MR. BOYCE: Well, Mr. Chairman, I guess Mr. Garwood is in the position that we all are, that when writing anything in the law, how do you include and how do you exclude.

MR. GARWOOD: Yes.

MR. BOYCE: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Kovnats.

MR. KOVNATS: Mr. Chairman, I would like to direct a couple of questions to Mr. Garwood with just a little bit of a preamble. In regard to secret meetings I guess the meetings really aren't secret, but there are secrets that are discussed at the meetings. Am I correct in this assumption? The meetings are advertised or they are known to the public.

MR. GARWOOD: Well, that may not be the case. An in-camera session may not be known to the public. It would be known to the trustees because they would receive the notice of the meeting and the agenda. There is no requirement that we tell . everyone that we are having a meeting.

MR. KOVNATS: Well, then in effect it is not the secrets at meetings, it is secret meetings.

MR. GARWOOD: Well, by having secret meetings, by having closed meetings, the discussion obviously is then confidential, the public is not aware of it. Therefore, it seems a bit of a circular

problem here that what you discuss in secret quite possibly will remain secret, therefore, it is a secret.

MR. KOVNATS: You mentioned "would remain a secret". By what rhyme or reason would it remain a secret? Are you sworn to secrecy when you are installed as a trustee or is it a moral commitment because the meeting is held in camera?

MR. GARWOOD: There is no legal requirement that I make information known or for that matter keep it confidential, but I think that is in part diverting from my general concern. It isn't that information never gets to the public, eventually somebody will know about it, but the information in general would not be available to the public if the newspaper is not able to cover the meeting, if the 30 or 40 people that wanted to come down to the meeting are prevented from entering the room. These are means by which information is constrained within the confines of a small group, and I think by having it that way we are doing a disservice in general to the public as elected representatives. I realize the difference often is made that if you have your in-camera session and then you announce all the results, that should be satisfactory, but if all the decisions are being made in camera, and you announce the results, then the public again has little influence on the way those results are arrived at. The members on the board decide the matter amongst themselves for a variety of reasons, for a variety of conveniences, and then come to the conclusion and announce it to the public. The public has had no influence on that decision-making. They don't know where individuals stand on the matter, because, of course, if you are saying in a secret meeting or a closed meeting that I support this position or that, and then in public turn around and say, "Well, I didn't support that." Then the public really doesn't know where you have stood on the matter.

MR. KOVNATS: I know what inner turmoil you are going through, Mr. Garwood. In effect, I have known Mr. Garwood for quite a few years and have a great respect for his ability and the work that he has done in the community. I would just go a little bit further, we had a delegation from the St. Boniface School District today; did you put the stamp of approval on the presentation that they made to us today?

MR. GARWOOD: I believe I wrote it, in fact.

MR. KOVNATS: You did vote on it.

MR. GARWOOD: I went further than that, yes.

MR. KOVNATS: Another question, have you asked your St. Boniface School Division Trustees, your associates at the St. Boniface School District, to support your recommendation, your brief, tonight?

MR. GARWOOD: I did not. I thought it would be more advisable that I present my own brief without the aura of controversy, that if five people sat around discussing it it wouldn't be here tonight. I'm certain it would not be presented, it would be put to a vote and it would be defeated. You would not have people advocating what I've put down here tonight. By the way, I would really try and emphasize the point that I'm trying to remove myself from my individual role as a trustee in a school division and look at it in more general terms as it affects other school divisions as well. As I say, I've looked at it from readings that I've done, probably that are more directed to the United States than elsewhere, but it is not an isolated concern. I think if you were to come down to any school board, you know, people are not going to get overly excited and march down to the Legislature here to hear me out on this issue tonight, but if you could go down to any school board people are concerned that, you know, why are you meeting in camera all the time? You're discussing our affairs, it's a very very common concern.

MR. KOVNATS: Yes, I have known some groups that were quite disturbed that there were in camera meetings at this school board meeting, and others, and you know I have a feeling for them. I just say that I listened very openly to your suggestion and I appreciate your coming down here.

MR. GARWOOD: Thank you.

MR. CHAIRMAN: Mr. McGill.

MR. EDWARD MCGILL: Mr. Chairman, I would like to ask Mr. Garwood how long he has been a member of the St. Boniface School Board?

MR. GARWOOD: It's been five years, going on the sixth year, second term.

MR. MCGILL: Mr. Chairman, does that pre-date what we might euphemistically describe as the trouble in St. Boniface?

MR. GARWOOD: Well, depending on whether I'm the trouble or the issues are the trouble. Would you care to clarify the point on what the trouble is?

MR. MCGILL: Well, Mr. Chairman, Mr. Garwood referred to a crisis in St. Boniface, so I assume that there has been a developing major problem and without attempting to describe it, would you say that your membership pre-dates that?

MR. GARWOOD: Oh, yes, by a long ways.

MR. MCGILL: Did you campaign on a platform of open meetings, or had this occurred to you at that point.

MR. GARWOOD: Oh, yes, in fact, it's interesting because at a town hall meeting that question was asked; and on television, all the candidates were on Cable 13, and again that question was put to the people. I don't recall anybody ever saying, "I believe in secret meetings or in camera sessions", you know.

MR. MCGILL: Mr. Chairman, Mr. Garwood mentioned hordes of people attending meetings open to the public. The descriptive word "hordes" seems to convey to me an unruly group of people. Would hordes of people make it difficult for the chairman to conduct the business? I'm wondering if there is something involved here in this crisis situation that made it difficult to conduct a normal meeting. Groups of people with a certain point of view, perhaps feeling that their point of view would not prevail, might make it difficult. Did you experience that kind of thing?

MR. GARWOOD: I think, if you were to ask various people you'd have various answers. In my estimation the crowds that we've had were, by and large, in the range of 500 to 600 people, at most, and that was during a series of presentations that were being made to the board, so, on average, we don't have 500 people attending our meetings. What we would have is maybe 30 people attending our meetings. So the chance of an unruly group of people disrupting the meeting, and therefore putting an end to the board activities would be rather a rare occasion. The meetings with 500 people actually took place with one intent, i.e. to hear the general public, and that is what occurred at each of those meetings.

MR. MCGILL: So you don't attribute the tendency, from time to time, of having closed meetings, to the difficulty of conducting the business of the board with a completely open forum?

MR. GARWOOD: No, I do not, because, to use another example from a neighbouring school division, literally all their meetings are held in camera before they come to a public meeting and they have no crisis before them. In fact, quite the reverse, we have a larger crisis in St. Boniface than our neighbouring school divisions do. Nobody has had 500 or 600 people out to a meeting for ages, in fact, St. James apparently can't even get anybody to come out. I don't think that it is really a problem in that people are being disrupted at board meetings and, therefore, motions can't be made and debated and passed. In fact, we have probably more open meetings in St. Boniface, even with a French-English controversy going on than neighbouring divisions have without that controversy, without that element of controversy.

MR. MCGILL: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Brown.

MR. BROWN: Thank you, Mr. Chairman, I was just going to pursue one matter just a little bit further. I believe that you are discussing mainly the problems which you are seeing with your own particular school division, but, if we would pass a law, of course, all school divisions would have

to abide by that particular law. Now, some of the communities are rather small communities where you could be discussing a certain situation — let's again take the certain teacher, for instance, and so on, a problem, not naming by name, nobody in St. Boniface would ever know who that particular person was. And, if false accusations, or whatever, were made against this person, and so on, everybody would know about it and, of course, possibly at the next meeting the teacher would be asked to come in and defend himself.

But, in a small community, everybody would immediately know who this person was and I think that a great injustice, possibly, could be done through having that portion of the meeting as an open meeting. I would just wonder what your reaction would be to that.

MR. GARWOOD: It's probably very common practice to have these type of sessions closed, and I think it often goes without question that they be closed. And, perhaps only because I happen to have an interest in this particular topic, do I examine it in the other light that maybe the rights of the individual would be better protected at an open session, even in a small community. What I really fear is not that inaccurate information or malicious statements are made about the individual, because I think you have less chance of that happening at an opening meeting. Trustees will think twice about making a statement about someone that they, you know, will question. I can't get away from that example that we did have with the lady that came before us and made all sorts of accusations about the principal, which we couldn't agree to at all. But we had to listen to her, and if she were forced to have had that hearing in public, she would never have said those things, in fact it made her look worse than ever. If the principal dismissed her for any reason at all, then she defeated her own case by bringing it to the board and having it as a closed meeting and making all these malicious accusations.

I can sympathize with your point of view. I think there probably are circumstances that I have overlooked, that you could have a personnel problem, and you want to deal with it in closed session. I think you might be able to make provision for that. What I am very fearful of, of course is that you use the word "personnel" in such a broad fashion that any and everything could be construed as personnel matters. You know, it affects somebody, so we're going to call it personnel tonight.

MR. CHAIRMAN: Mr. Brown. Mr. Cosens.

HON. KEITH A. COSENS: Mr. Garwood, I wonder if you are familiar with the legislation under the Municipal Act that applies to municipal councils in this regard?

MR. GARWOOD: Offhand, I'll say no. If you would elaborate, I'd appreciate it.

MR. COSENS: I wonder if I could read it to you and get your reaction to it.

Under 114(1) it says, "every council shall hold its meetings openly, including its sittings as a court of revision, and no person shall be excluded or removed from any meeting except for improper conduct." And then under 114(2), it says, "meetings of committees may be held in-camera." This is under the Municipal Act. What is your reaction to that legislation?

MR. GARWOOD: I think that would go a long ways to solving the particular problem that I'm trying to address here tonight. As long as there is some way of ensuring that committees were not a majority of the board, in fact committee of the whole, for example, where everyone was sitting there and deciding matters. But I think that could be a means by which such a provision could be enacted, yes.

MR. COSENS: Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Garwood.

MR. GARWOOD: Thank you, gentlemen.

MR. CHAIRMAN: I call Father Klysh. Not present? Evelyn Reese. Patti Sullivan. Oh, Mrs. Reese is here.

MRS. EVELYN REESE: May I ask that both Mr. Ken Karlenzig and myself present both our briefs at the same time.

MR. CHAIRMAN: Okay.

MR. KEN KARLENZIG: Thank you very much, members of the committee. If it's okay, I'll be reading Mrs. Reese's brief as well and I will try to make them brief. Thank you.

My name is Ken Karlenzig and I will just present my brief first.

Members of the committee, I would like at this time to register my objection to the wording and inference of Section 78, clause 4, which reads, "any pupil engaged in a work education program of participating in an outdoor education or other program which is conducted off the school premises under the authority of the school board, shall be deemed to be in attendance at school."

MR. CHAIRMAN: Do you have copies of your brief, sir? Proceed, sir.

MR. KARLENZIG: Thank you very much. I had down "Ladies and Gentlemen". But anyway, Gentlemen: This section places into the hands of the school complete and total control over the authority of the parents, including the parents' right to opt their child out of activities that they find objectionable and as it reads, allows the interpretation to become the sole responsibility of the school to dictate terms for compulsory attendance.

The implication is this: Parents under that section as it now reads would have no right to keep a child away from a one week camp outdoor program when such an outdoor activity is part of an education program such as science, physical education, or etc.

There are many children who, for emotional, physical and behavioural reasons, should not be subjected to prolonged periods away from home. These cases are numerous and up to now at least have been handled on the merits of the individual case, and no child was made, by compulsory legislation, to attend a function that in effect is harmful to the child's well-being.

The laws up to this point, at least have been flexible.

There are numerous reasons why this amendment is unsatisfactory. Some main objections I have after reading it:

(1) No options to exercise the freedom of choice. This is most certainly contrary to the Bill of Rights.

(2) Parents have lost enough authority, and I do not condone any legislation that would severely limit the basic freedoms we have left over our children and the right to parent in the best way possible.

(3) Teachers are not the answer to all things, and cannot be expected to be responsible for children who, for obvious reasons, would not benefit by a camp or similar experience. The teacher also loses the right — this is a mistake on the page — but loses the right to have a child opted out of a program and the teacher would be very aware for instance, that child would not benefit, could cause upsets in the process of what was going on. So the teacher is locked into this system, equally the same as the students and equally the same as the parents. It leaves no expression for choice.

(4) Parents should retain the options to select the best educational experience possible for their child. This amendment severely limits any other exercise of options and in my estimation, removes my God-given right as a parent to perform this function.

(5) In subsection 88, the clause pertains to the non-liability of the school for such damages as might result to a child participating in any program in the school and is most certainly applicable to those at a camp or other work experience. I again refer back to the other section, as long as it's part of the physical education program, or the science course, or whatever. It is plain by the wording, which has as part of it, "shall be deemed to have accepted the risks . . ." incidental to the program of instruction, that on one hand the first clause states that the parents are not given a choice in the matter, in effect, one section removes the right of choice and the other section holds the parents responsible for the outcome. In addition this statement addresses itself only to the physical damage or injury, but does not address itself to the problems of emotional, behavioural or other kinds of damage. This seems to be very naive, to me at least, in content. Other questions could be asked about damages to morals, values, ethics and possible religious beliefs, but those I'll just leave unanswered at this particular point because I believe Mrs. Reese has some concerns in her brief around some of these issues.

I hope that this paper indicates the need for a re-run or revision of this particular section. Thank you very much for your time, gentlemen.

MR. CHAIRMAN: Proceed, Mrs. Reese.

MRS. EVELYN REESE: Thank you, Mr. Chairman. I want to apologize for the fact that I did not have the time to have typed copies of the brief that I have prepared. As a matter of fact I finished it about half an hour ago. However, I do promise that I'll have this typed and have copies delivered

so that tomorrow you'll have the copies of my brief, in writing.

MR. CHAIRMAN: Very good.

MRS. REESE: Mr. Karlenzig will read mine also and I'll answer questions.

MR. CHAIRMAN: Proceed.

MR. KARLENZIG: Thank you.

Mr. Chairman and members of the committee. I wish to thank you for being given the opportunity to be heard. May I add that it was a pleasure to read the simplified form of The Public Schools Act. However, I was disappointed that the issues surrounding the total question of education in Manitoba had unfortunately been avoided. By insisting that each issue be treated as something new and particular or as a separate case, one can avoid the whole reality of the entire system of education, its structure, philosophy, teaching methods and techniques, experimentation, evaluation of teachers and students, quality and standards of education, content and range in difficulty levels of programs offered, centralization and decentralization of powers and responsibilities, the passive or active role of parents and students as receivers of services, parental freedom of choice — isn't this a typical woman's brief, she hasn't even got a period in there yet, all in one sentence.

MRS. REESE: They're all semi-colons.

MR. KARLENZIG: Okay. The role of the school and of the family in the education of the child; the question of morals and values in the content of core and optional subjects; the question of the pluralistic option to education with both God-oriented and non-God-oriented philosophies of education separately operated with only one offered as a public service; the possibility of including all of these as public services and without hindering one approach while facilitating enhancing others.

The above are only some of the multiple facets of the education which must be considered. If a government wishes to objectively see the school system successes, failures and patterns of influence, it must be prepared to look for them and not rule these out at the onset as has so sadly been done in the past. When parents, universities and businesses have shown disappointment and pointed out weaknesses, the children are the ones who suffer from this kind of antagonistic and defensive approach to dissension or conflicting Views.

Are we to believe that there is only one philosophical approach and system of education that can be able to deliver successfully to all the educational services? Or rather, is it that the advocates of that system cannot withstand competition and it is too threatened to allow it.

Is it because of the genuine interest that they have for the well-being of children, or is it that their own vested interests are at stake, or is it both? Surely then the same may be said for the separate system and its views. In a pluralistic, democratic society, must one be repressed and its survival made difficult in order to strengthen one's position of power at the expense of others in order to promote its own philosophy and techniques without hindrances? This is openly contravening the Canadian Human Rights Act.

Are the powerful interest groups such as the Manitoba Association of School Superintendents, the Manitoba Association of School Trustees, faculties of education, the Manitoba Teachers' Society, school boards be the only groups to have the genuine welfare of the children and therefore the only ones with the advantage, to directly participate in the bargaining and decision-making process because of their professional and financial resources, which are a visible, political power to be contended with.

Unfortunately, grievances on the part of unorganized parents who only rally on separate issues lack continuity in the political power visibility, and hence are non-existent for the political decision makers mainly because they do not have the professional and financial resources and power, which appears necessary, to be included in the process of negotiations and decision-making.

The majority of parents are a captive clientele of the free public school system, for again they cannot afford the only reasonable choice open to them, the private school system. It is even suggested by a superintendent to remove the least desirable, but only choice that they have within their means, the correspondence courses.

Education is the most influential institution next to the family for it has the child for at least nine to twelve years of their life. Surely it is not too much to ask, in a so-called pluralistic, democratic society, in such an area of importance as education that no one point of view or philosophical approach to education be imposed on the majority who have no other reasonable alternatives to

choose from.

May I suggest that such an approach is only befitting of communistic control countries or socialistic countries that believe in state control of the child and in repression of the self-determination of its citizens.

In conclusion, I suggest that the independent, the present public non-God-oriented school system and the God-oriented systems be offered as public services to all its citizens without prejudice.

May I also suggest that regardless of the systems offered as public services, all have to be flexible and respect the plurality of its populations. It is only then fitting that responsible parents be allowed to opt out of programs, or parts of programs, that they find objectionable to the well-being of their child so that the plurality of views can be respected for all.

I am sure that the children can learn to analyze novels and poems without having to choose those which consistently portray or describe sexual deviations and violence and street gutter language.

May I also read to you the views of the Manitoba Medical Association whose opinion was sought in regard to Building the Pieces Together.

The Building the Pieces Together program was a very hot fought issue in just about every school division. The letter that I am about to read is the result of a group of parents getting together and fighting this issue — and I haven't got the letter — have you got it, Evelyn?

MR. CHAIRMAN: We have copies of it, sir.

MR. KARLENZIG: All right. This is addressed to Mrs. Evelyn Reese and it's "Re: Building the Pieces Together." It says: "No in-depth study of the above mentioned program has been undertaken by the Manitoba Medical Association, to do so would involve many people in various specialties and countless man hours. The program has been reviewed by a number of individual members and the following is an amalgamation of their comments:

The program involves emotions and feelings of the children in a field of expertise which teachers are not trained or competent to deal with.

Content is subject to the interpretation of the individual teacher, causing wide variations in presentation and emphasis. It is our understanding that only some three hours orientation is given the teachers prior to its use in the classroom.

It is questionable whether the school, through the teacher, should in any way influence the children in the sensitive area of family unit relationships. Of particular concern is the discussion in front of their peers relative to family and parental arguments.

In its present form it is therefore considered that a course such as this should have no place in the present school system. This is particularly so when it received so much opposition by parents. While recognizing that the school boards and the Department of Education have the responsibility to establish the school curricula, nevertheless the wishes of the parents should be respected regarding such a sociological program, which cannot be deemed to be an "essential" subject for inclusion in the school curriculum." And that was signed by Arni Laxdal, who is the President of the Manitoba Medical Association. Thank you very much.

MR. CHAIRMAN: Thank you, Mr. Karlenzig. Questions from the committee? I thank you kindly for your presentation Mr. Karlenzig and Mrs. Reese.

MR. KARLENZIG: Thank you. It's a pleasure.

MR. CHAIRMAN: That gentleman, what's your name? Do you want to make a presentation to the committee?

MR. PHIL TROTTIER: Yes, I do.

MR. CHAIRMAN: Okay. Would you come forward, sir? You're Mr. Trottier are you, Phil Trottier?

MR. TROTTIER: Yes. Yes.

MR. CHAIRMAN: Do you have a copy of your brief for the committee, sir?

MR. TROTTIER: Yes, I have copies. I come as a parent of a special needs student or potential special needs student.

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As residents of Manitoba and parents of a potential special needs student, we are concerned with some of the implications surrounding the proposed Bill 22. The intent when drawing up an Act should be to protect and provide legislated rights for persons covered in the Act. Bill 22 makes no mention of children's rights and we are particularly concerned with Section 41, subsection 5.

As members of our society, our children deserve educational rights equal to those of other children. This bill does not provide this for students with special needs such as those of our son. Rather it leaves his equal educational opportunities to the benevolence of the school trustees in the division. And unfortunately their concern to provide quality education for all is often overshadowed by a desire to reduce the spending.

We would like to see the same rights incorporated into our Act as are in Bill 94—142, The Education for All Handicapped Children Act, a U.S. Federal Statute signed into law which has three basic requirements:

The opening of the doors of public education to all handicapped children.

The integration of these children into regular classrooms to the maximum extent appropriate to their needs.

And the development of an individual education program for each handicapped person.

There should be a single education system for all children. Separate classes and facilities are not acceptable placements for even the most severely handicapped child.

Bill PL 94—142 outlines procedures for evaluating the comprehensive needs of each child and then identifying alternative educational programs. This process assures that each child will receive the educational services that are most suitable. Our new proposed Bill 22 does not outline or provide steps for this process.

And we also believe that the places for religious exercises are the Church and the home of students, not in the schools. And we believe that these exercises as they exist, discriminate against anyone who is not of a Judeo Christian Ethic.

Thank you.

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

MR. TROTTIER: Thank you.

MR. CHAIRMAN: There are no others? Yes, I have Patti Sullivan for 9 o'clock on here, on the list, and she hasn't showed, and Father Klysh, he was to be here. Committee rise. Mr. McGill.

MR. MCGILL: Mr. Chairman, was there a matter before the committee in respect to the — or was this discussed prior to my arrival tonight? I was a few minutes late getting here at 8 o'clock.

MR. CHAIRMAN: We discussed the matter of moving the committee to The Pas and it is left until tomorrow morning. We'll see if we can discuss it and get more information. I read the letter into the record, which the Clerk phrased with the help of Mr. Ray Tallin, and we are looking now for incidents in the Journals to see if there is a precedent or some guidelines that we can follow to maybe give us some more information on the subject, so no decision has been made as yet. Committee rise then.

BRIEF PRESENTED BUT NOT READ:

THE MANITOBA TEACHERS' SOCIETY

TEACHER SURVEY

STUDENTS WITH SPECIAL NEEDS

JANUARY, 1978

ACKNOWLEDGEMENTS

The Special Needs Committee gratefully acknowledge the assistance and services of Mr. Michael Yakimishyn and other staff members at the Department of Education Media Services Branch and Ms. Elizabeth Husby who did the computer programming for the study.

The Committee wishes to thank Kris Breckman for his expertise, guidance and assistance to the Committee.

Dorothy Y. Young,
Chairman.

MEMBERS OF THE SPECIAL NEEDS COMMITTEE

Dorothy Y. Young, Chairman
Dave Bertnick
John Bestvater
Myrna Klink
Pat Kucey
Janet Schubert
Kris Breckman, Staff Officer

INTRODUCTION

The Provincial Executive requested the Special Needs Committee to undertake a survey of the teachers in the province in order to obtain information concerning items, such as:

- 1) the extent of integration of special needs students,
- 2) the qualifications and experience of teachers with special needs students,
- 3) the adequacy of teacher training, resources, and screening and placement procedures.

The survey was conducted in November and December, 1977. The results of the survey were analyzed on a provincial, divisional, and regional basis. This report contains provincial data only. Complete reports including divisional and regional information have been circulated to Division Associations. Copies of the complete report are available on request.

These reports will be a subject for discussion at regional meetings during January and February. Hopefully, a number of recommendations will flow from these meetings.

Major Concerns Raised by the Survey

Among the many problems uncovered by the survey of the current situation with respect to the education of children with special needs, three stand out and require immediate attention.

1. The Need for More Specialized Teacher Training

The majority of teachers with special needs students have received inadequate teacher training. From 55 to 58 percent of primary, intermediate and junior high teachers and 34 percent of high school teachers reported that they have special needs students in their classes. However, 62 percent of these teachers indicated that they have received no specialized training. The need for improved training programs and increased opportunities for teachers to participate in such programs is immediate.

2. The Size of Classes must be Reduced

Classes with special needs students are generally too large for teachers to give all students the individual attention they require. Over half of all the teachers with special needs students reported class sizes of 24 or greater. Approximately one fifth of these classes had 29 students or more. The survey indicates that in most cases class size has not been reduced in order to accommodate special needs students.

3. The Need for More Resources and Information

Current resources, both human and financial are insufficient to meet the requirements for the education of special needs students. The supply of special equipment was considered insufficient or minimal by 75 percent of the teachers with special needs students; 43 percent and 63 percent gave similar ratings to the availability of professional and non-professional support personnel, respectively. In addition,

information on the limited funds and services currently available is generally inadequate. Teachers are not aware of what is available, where it is located or how it is obtained.

The results of this survey clearly point out the problems of inadequate training, class sizes that are too large and inadequate funding for the education of special needs students.

The Society is concerned that unless these problems receive immediate attention, special needs students will not get the quality education they require. The Society's policy states that the Provincial Government should provide the necessary funding.

OBSERVATIONS

Following are some observations and inferences based on the information generated by the study:

- 1) The questionnaire was completed by 5,744 teachers - slightly less than one-half of the teaching force. Approximately the same proportion of primary, intermediate, junior high and secondary teachers responded to the survey. (Table 1)
- 2) The respondents included a representative sample of resource teachers, and teachers of E.M.H., T.M.H. and O.E.C. students. The 350 responses in the "other" category consisted mainly of teachers who were in special education programs described by titles that weren't listed in the survey - e.g., developmental education or English as a Second Language, plus a few "specialist" teachers who apparently felt that they were closely associated with special education - e.g., a teacher in a vocational school. (Table 2)
- 3) Of the 29 percent of responding teachers that had received some special training to teach students with special needs, 26 percent had been involved in informal programs only. This data demonstrates the need for additional training for teachers. (Table 3)
- 4) Approximately the same percentage of teachers (55 to 58 percent) at the primary, intermediate and junior high levels report that they have students with special needs. At the high school level 34 percent of teachers report having special needs students. (Table 4)
- 5) With the relatively low percentage of responses (49 percent), there is a danger of bias because of the natural tendency for teachers with special needs students in their classes to respond, and those without such students to ignore the survey. Thus, if one assumes

that the response included most of the teachers with special needs students the percentage of teachers with special needs students would be approximately 30 to 35 percent rather than 55 to 58 percent.

- 6) At each level, primary to secondary, approximately 20 percent of teachers with special needs students have taught less than three years. The largest proportion of teachers with special needs students (35 to 43 percent) have had from 7 to 15 years experience. While in general experienced teachers have most assignments with special needs students, there are many inexperienced teachers with such responsibilities. (Table 5)
- 7) The majority of teachers with special needs students - 62 percent - have not received specialized training. Eighteen percent of the teachers that responded do not have special needs students. This information illustrates the need for additional teacher training, and also shows that some potential teacher resources are not being used. (Table 6)
- 8) Approximately 40 percent of the responding teachers indicated that they have special needs students that were previously in segregated classes. This data gives some indication of the trend toward the integration of special needs students. However, the majority of teachers, 70 percent, identify as special needs students, students who had not previously been in segregated classes. Respondents could check more than one item in this category, therefore percentages do not total 100. (Table 8)
- 9) Many teachers who responded to the questionnaire did not indicate the number of special needs students in their class(es). However, of those responding 36 percent indicated that they have from 1 to 4 special needs students. Thirteen percent, presumably special education and occupational entrance course teachers, indicated that they have from 7 to 15 special needs students in their classes. Most of the teachers

reporting this information were at the primary or intermediate levels.

10) Approximately 50 percent of special education teachers have between 1 and 12 students in their classes. The group of 54 teachers who indicated that they deal with from 36 to 98 students is made up primarily of resource teachers. (Table 10)

11) Over half of the classes with special needs that were identified by primary teachers have class sizes of 24 or greater; of these, 10 percent or 100 classes, have class sizes greater than 29. (Table 11A)

Similar analysis of Tables 11B, C and D shows that 71 percent of intermediate classes, 56 percent of junior high classes, and 45 percent of senior high classes reported by teachers with special needs students have class sizes of 24 or greater. (Tables 11B, C and D)

12) The majority of teachers with special needs students in their classes have 1 - 2 special needs students in their classes and spend less than 1/3 of a day with them. This data suggests that most special needs students are included in departmentalized classes. In contrast, 25 percent of the teachers with one or two special needs students in their classes have them for most of the school day. (Table 12)

13) Teachers rated the adequacy of the listed resources from 'insufficient' to 'minimal'. Greatest concern exists regarding the availability of information on financial resources and the supply of special equipment. Greatest satisfaction, although only minimal, was indicated for the availability of professional support and the adequacy of screening procedures. (Table 13)

14) Resource teachers are the most commonly cited support personnel; 68 percent of the 1,877 teachers indicating that services of resource teachers are available to them indicated that they are using the services. (Table 14)

15) In the majority of cases respondents indicated that either teachers or principals or a combination of principals and teachers had the most influence regarding placement of special needs students.

(Table 16)

16) Of the 2,623 teachers with special needs students, 78 percent considered that their workload had either increased or increased greatly as a result of the inclusion of special needs students in their classes.

(Table 17)

Further analysis of the effect of special needs students on teacher workload has been most evident at the elementary and junior high levels. (Table 18)

S E C T I O N A

P R O V I N C I A L D A T A

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SECTION A

PROVINCIAL DATA

TABLE 1 -- Respondents to the Special Needs Questionnaire

Primary	Teaching or Administrative Assignment					Total Responses
	Inter-mediate	Junior High	Senior High	Principal	Other	
1492	1159	1163	1397	176	357	5744

TABLE 2 -- Special Education Teachers Responding to the Questionnaire

Resource Teacher	T.M.H. Teacher	E.M.H. Teacher	O.E.C. Teacher	Other Teachers	Total Sp. Ed. Teachers	Percent of Respondents
202	46	77	104	350	779	13.56

Table 3 -- Extent of Special Training Reported by Teachers
 (Actual Numbers Shown in Brackets)

Number With Special Training	Percent of Total Resp.	Level at Which Special Training Received			
		Informal Programs	University First Degree	University Second Degree	M. Ed. or Higher
1668	29.04	26.56(443)	26.86(448)	37.83(631)	6.65(111)

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SECTION A

PROVINCIAL DATA

TABLE 4 -- Percentage of Teachers at Each Level with Special Needs Students
(Actual Numbers Shown in Brackets)

Primary	Inter- mediate	Junior High	Senior High	Principal and Other	With S.N. Studs.	% of Total Resps.
56.4 (842)	58.2 (674)	54.9 (638)	34.4(480)	48.6 (259)	(2893)	50.37

TABLE 5 -- Distribution of Teachers with Special Needs Students
by Years of Experience and Level of Instruction

Each Cell Shows Teachers with Special Needs Students
as a Percentage of all Responding Teachers in that Cell
(Actual Numbers Shown in Brackets)

	Primary	Intermediate	Junior High	Senior High	Total
0 - 3 Years	23.54 (198)	18.55 (125)	23.90 (152)	19.04 (91)	21.53 (566)
4 - 6 Years	21.64 (182)	21.81 (147)	16.51 (105)	15.27 (73)	19.28 (507)
7 - 15 Years	35.43 (298)	37.24 (251)	37.58 (239)	43.10 (206)	37.81 (994)
16+ Years	19.38 (163)	22.40 (151)	22.01 (140)	22.59 (108)	21.38 (562)
Total	100% (841)	100% (674)	100% (636)	100% (478)	100% (2629)

TABLE 6 -- Analysis of Special Training of Teachers With and Without Special
Needs Students
(Actual Numbers Shown in Brackets)

	Teachers With Specialized Training	Teachers Without Specialized Training
Teachers With Special Needs Students	38.2% (1133)	61.8% (1834)
Teachers Without Special Needs Students	18.5% (535)	81.5% (2351)

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SECTION A

PROVINCIAL DATA

TABLE 7 -- Detailed Analysis of Special Training of Teachers
 With and Without Special Needs Students

(Percentages Shown in Row 1 are of all Teachers With Special
 Needs Students. Percentages Shown in Row 2 are of all Teachers
 Without Special Needs Students. Actual Numbers Shown in Brackets)

	Without Specialized Training	Informal Programs	University First Degree	University Second Degree	M. Ed. or Higher
Teachers With Special Needs Students	63.39 (1834)	14.10 (408)	10.13 (293)	12.37 (358)	1.80 (52)
Teachers Without Special Needs Students	82.46 (2351)	6.59 (188)	5.12 (146)	5.61 (160)	0.98 (28)

TABLE 8 -- Teachers with Previously Segregated/Non-Segregated Students
 Percentages of Total Number of Teachers With Special Needs
 Students in the Division
 (Actual Numbers are Shown in Brackets)

Teachers With Previously Segregated Special Needs Students	Teachers With Previously Non Segregated Special Needs Students	Teachers With Both Segregated/ Non-Segregated Special Needs Students
38.78 (1122)	69.72 (2017)	24.71 (715)

TABLE 9 -- Percentage of Teachers With Special Needs Students
 By Number of Special Needs Students Taught
 (Excludes Special Education Teachers)
 (Actual Numbers Shown in Brackets)

	Total Number of Special Needs Students in all Classes				
	1 - 2	3 - 4	5 - 6	7 - 15	over 15
All Responding Teachers	22.88 (662)	13.00 (376)	8.61 (249)	13.03 (377)	4.74 (137)
Primary	11.06 (320)	5.60 (162)	3.66 (106)	3.98 (115)	0.73 (21)
Intermediate	7.50 (217)	4.56 (132)	2.66 (77)	4.15 (120)	0.97 (28)
Junior High	4.04 (117)	2.56 (74)	2.21 (64)	4.70 (136)	3.01 (87)
Senior High	0.07 (2)	0.00 (0)	0.00 (0)	0.00 (0)	0.03 (1)

SECTION A

PROVINCIAL DATA

TABLE 10 -- Distribution of Special Education Teachers According to the Number of Special Needs Students Taught (Actual Numbers Shown in Brackets)

Total Number of Special Needs Students in all Classes				
1-12	13-35	36-65	66-98	99+
7.64 (221)	5.01 (145)	1.42 (41)	0.45 (13)	0.00 (0)

TABLE 11 -- Provincial Analysis Showing Breakdown of Reported Classes With Special Needs Students According to Class Size and Number of Special Needs Students (Excludes Special Education Teachers)

Total Number of Students in Class						
11A -- Primary						
Number of Special Needs Students	Under 15	16 - 20	21 - 23	24 - 28	29 +	Total
1 - 2	86	90	117	224	54	571
3 - 4	27	45	45	93	18	228
5 - 6	6	10	19	62	19	116
7 - 10	5	5	16	35	7	68
11 - 15	2	0	1	12	2	17
16+	0	4	1	1	0	6
Total	126	154	199	427	100	1006
Percentage of Total	12.52	15.31	19.78	42.45	9.94	

Total Number of Students in Class						
11B -- Intermediate						
Number of Special Needs Students	Under 15	16 - 20	21 - 23	24 - 28	29 +	Total
1 - 2	43	62	52	252	131	540
3 - 4	18	29	39	113	77	276
5 - 6	1	6	13	54	19	93
7 - 10	0	2	8	29	17	56
11 - 15	1	1	0	6	7	15
16+	0	1	1	1	4	7
Total	63	101	113	455	255	987
Percentage of Total	6.38	10.23	11.45	46.10	25.84	

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PROVINCIAL DATA

11C -- Junior High Number of Special Needs Students	Total Number of Students in Class					Total
	Under 15	16 - 20	21 - 23	24 - 28	29 +	
1 - 2	71	75	57	138	131	472
3 - 4	33	40	27	92	70	262
5 - 6	19	11	17	39	45	131
7 - 10	24	9	9	19	32	93
11 - 15	16	9	1	2	6	34
16+	1	21	9	5	1	37
Total	164	165	120	295	285	1029
Percentage of Total	15.94	16.03	11.66	28.67	27.70	

11D -- Senior High Number of Special Needs Students	Total Number of Students in Class					Total
	Under 15	16 - 20	21 - 23	24 - 28	29 +	
1 - 2	63	69	41	87	64	324
3 - 4	15	18	18	34	29	114
5 - 6	14	6	10	10	19	59
7 - 10	24	9	4	15	9	61
11 - 15	17	2	2	2	6	29
16+	2	6	1	2	3	14
Total	135	110	76	150	130	601
Percentage of Total	22.46	18.30	12.65	24.96	21.63	

TABLE 12 -- Time Spent With Classes With Special Needs Students
By Number of Special Needs Students in Class
Number of Responding Teachers
Note That a Teacher May Have More Than One Class in Each Category

Number of Special Needs Students In Class	Part of Day Spent with Class		
	One Third Or Less	One Third to Two Thirds	More Than Two Thirds
1 - 2	1314	298	509
3 - 4	607	125	254
5 - 6	300	61	117
7 - 10	277	56	132
11 - 15	130	50	65
16+	115	59	48
Total	2743	649	1125

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SECTION A

PROVINCIAL DATA

TABLE 13 -- Teacher Responses Regarding Adequacy of Support for Special Needs Programs
Percentage of Respondents to Question

	Insuff- icient (1)	Minimal Suff. (2)	Average/ Aver/ Suff. (3)	Above Aver/ Super. (4)	N.A/ Don't Know	Total No.of Resp.	Mean
Preparation Received	31.34	38.14	23.51	5.10	1.91	2824	1.99
Info.Re.Financial Assistance	38.78	26.16	15.61	2.33	17.11	2741	1.47
Supply of Materials	22.01	30.61	34.78	6.17	6.42	2803	2.12
Avail.Professional Support	15.76	28.43	39.59	14.06	2.16	2824	2.48
Avail.Non-Profess.Support	36.16	27.61	23.87	5.32	7.05	2782	1.84
Supply of Special Equip.	29.85	24.67	20.06	3.16	22.26	2687	1.52
Screening Procedures	19.18	25.10	40.38	6.86	8.49	2769	2.18
Physical Structure of School	31.88	29.29	27.79	5.34	5.70	2789	1.95

TABLE 14 -- Percentage of Teachers Using Available Support Services

Type of Support Personnel	No. of Teachers Reporting Service Available	Percentage (Number) of Teachers Reporting Services Used
Teacher Aide	920	55.76 (513)
Volunteer	789	56.40 (445)
Resource Teacher	1877	67.93 (1275)
Speech Therapist	1671	45.12 (754)
Psychologist	1966	47.10 (926)
Reading Specialist	1098	42.17 (463)
School Social Worker	1271	45.16 (574)
Other	329	75.38 (248)

TABLE 15 -- Percentage of Respondents Indicating That Each Category Had The Most Influence Regarding Placement of Special Needs Students

Parents	Teachs.	Princ.	Teach. Spec. & Pr. Ed.	Psych.	Supt.	Bd.	Other	Total	
6.80	13.63	15.46	30.45	5.25	1.15	1.79	2.38	23.09	2516

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SECTION A

PROVINCIAL DATA

TABLE 16 -- Percentage of Respondents Indicating That Each Category Had The Most Influence Regarding Placement of Special Needs Students, By Level

	Parents	Teachs	Princ.	Teach. Spec. & Pr. Ed.	Psych.	Supt.	Bd.	Other	Total
Primary (K-3)	8.07	16.55	12.45	32.97	3.15	1.78	1.78	1.50	21.89 731
Intermediate (4-6)	7.25	15.03	15.72	33.85	4.15	0.52	1.04	1.21	21.24 579
Junior High	5.41	11.94	19.40	31.90	3.73	0.93	2.24	2.05	22.39 536
Senior High	6.53	10.55	19.10	21.61	8.54	0.50	2.76	6.53	23.87 398
Princ. or Vice-Pr.	5.00	0.00	10.00	20.00	30.00	0.00	0.00	0.00	35.00 20
Other	4.47	11.17	8.94	25.14	11.17	2.23	1.12	2.23	33.52 179

TABLE 17 -- Analysis of Effect of the Addition of a Special Needs Students on Teacher Workload

Percentages in each Category are of all Responding Teachers With Special Needs Students

None	Minimal	Increased	Increased Greatly	Total Number of Respondents
4.50	17.46	55.28	22.76	2623

**TABLE 18 -- Analysis of Effect of the Addition of Special Needs Students on Teacher Workload
 (Percentage of all Responding Teachers With Special Needs Students Teaching Assignments 1 to 5 Exclude Special Education Teachers)**

	None	Minimal	Increased	Increased Greatly	Total Responses
Primary (K-3)	1.99	16.06	58.10	23.85	(654)
Intermediate (4-6)	1.89	13.99	59.36	24.76	(529)
Ju	4.78	18.90	56.46	19.86	(418)
Senior High	8.50	24.83	51.02	15.65	(294)
Other	9.76	19.51	60.98	9.76	(41)
Resource Teacher	10.26	6.41	55.13	28.21	(78)
T.M.H.	15.38	23.08	38.46	23.08	(13)
E.M.H.	16.67	13.89	30.56	38.89	(36)
J.E.C.	4.41	11.76	61.76	22.06	(68)
Other Special Ed.	3.77	14.47	50.94	30.82	(159)
Total	4.22	16.67	56.18	22.93	(2298)

S E C T I O N B

C O M M E N T S

SPECIAL NEEDS SURVEY REPORT

SECTION B

Comments

Respondents were invited to add their own comments regarding the education of special needs students. The comments were classified under eight general headings:

Working Conditions
Philosophy/Attitude
Definition
Support Services/Resources
Integration
Implementation
Personal Experiences
Special Needs of Children

The chart on the following page shows the number and percentage of comments related to each item and to each category of items. Following the chart are a number of sample comments that reflect the concerns that were being expressed.

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ANALYSIS OF COMMENTS MADE ON THE STUDENTS WITH SPECIAL NEEDS SURVEY

WORKING CONDITIONS

	<u>PRIMARY</u>	<u>INT.</u>	<u>JR. HI</u>	<u>SR. HI</u>	<u>TOTAL</u>
Class size	111 (19.9)	55 (12.9)	45 (3.1)	24 (8.2)	235 (14.5)
More time (teacher) for special needs child	52 (9.3)	50 (11.7)	22 (6.4)	20 (6.9)	144 (8.9)
Prep-time required	9 (1.6)	12 (2.8)	6 (1.7)	5 (1.7)	32 (1.9)
Added pressures	7 (1.3)	10 (2.3)	1 (0.3)	4 (1.4)	22 (1.3)
Coping with special needs students	9 (1.6)	5 (1.2)	3 (0.9)	2 (0.7)	19 (1.2)
Payment for extra time	2 (0.4)	1 (0.2)	1 (0.3)	5 (1.7)	9 (0.5)
Sub Total					461 (28.47)

PHILOSOPHY/ATTITUDE

In favour of mainstreaming	43 (7.7)	31 (7.3)	28 (8.2)	28 (9.6)	130 (8.0)
Opposition of mainstreaming	26 (4.7)	32 (7.5)	36 (10.5)	22 (7.5)	116 (7.2)
In favour of m.st. with adequate resources	21 (3.8)	20 (4.7)	14 (4.1)	13 (4.5)	68 (4.2)
Interpretation of "mainstreaming"	3 (0.5)	8 (1.9)	5 (1.5)	6 (2.1)	22 (1.3)
Sub Total					336 (20.75)

DEFINITION

Too broad	4 (0.7)	8 (1.9)	9 (2.6)	3 (1.0)	24 (1.5)
Too restrictive	1 (0.2)	5 (1.2)	7 (2.0)	2 (0.7)	15 (0.9)
Sub Total					39 (2.40)

SUPPORT SERVICES/RESOURCES

More resources required	85 (15.2)	48 (11.3)	35 (10.2)	25 (8.6)	193 (11.9)
Material/Equipment required	17 (3.0)	10 (2.3)	8 (2.3)	8 (2.7)	43 (2.6)
Little help from S.S. outside of school	8 (1.4)	4 (0.9)	5 (1.5)	4 (1.4)	21 (1.3)
Counsellors not included	0	0	3 (0.9)	1 (0.3)	4 (0.2)
Sub Total					261 (16.12)

INTEGRATION

What about regular kids?	29 (5.2)	28 (6.6)	16 (4.7)	11 (3.8)	84 (5.1)
Special classes advantageous	18 (3.2)	23 (5.4)	21 (6.1)	14 (4.8)	77 (4.8)
All students should not be integrated	12 (2.2)	9 (2.1)	9 (2.6)	6 (2.1)	36 (2.2)
Include gifted	4 (0.7)	1 (0.2)	4 (1.2)	1 (0.3)	10 (0.6)
Sub Total					207 (12.79)

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ANALYSIS OF COMMENTS MADE ON THE STUDENTS WITH SPECIAL NEEDS SURVEY cont'd

IMPLEMENTATION

	PRIMARY	INT.	JR. HI	SR. HI	TOTAL
Inadequate training	45 (8.1)	37 (8.7)	33 (9.6)	32 (11.0)	147 (9.1)
Screening	9 (1.6)	5 (1.2)	3 (0.9)	6 (2.1)	23 (1.4)
Go slowly	1 (0.2)	2 (0.5)	5 (1.5)	3 (1.0)	11 (0.7)
Sub Total					181 (11.18)

PERSONAL EXPERIENCES

Favourable description	27 (4.8)	13 (3.1)	7 (2.0)	11 (3.8)	58 (3.6)
Negative description	7 (1.3)	4 (0.9)	5 (1.5)	4 (1.4)	20 (1.2)
Sub Total					78 (4.82)

SPECIAL NEEDS OF CHILDREN

E.S.L.	8 (1.4)	5 (1.2)	7 (2.0)	12 (4.1)	32 (1.9)
Special difficulties at H.S. level	0	0	5 (1.5)	19 (6.5)	24 (1.5)
Sub Total					56 (3.45)
TOTAL	558	426	343	292	1619*

*The total includes principals and "others"

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COMMENTS

- 1) "I am concerned about such integration when it occurs in a high school with individual timetables. In this situation the student has many teachers who see the student briefly rather than a few teachers seeing the student for large blocks of time. For some special needs students this could cause problems due to the teacher's lack of time for flexibility in dealing with the student."
- 2) "The integration of special needs students into classes of average (or larger) size cuts down on the effectiveness of the teacher, with the result that no student receives the kind of attention he/she should have."
- 3) "The physical size of the class is detrimental to my efficiency and mental health."
- 4) "There seems to be a need for more specialists who are trained to actually work with these children rather than just tell a teacher what he or she should be doing - there just isn't time when you are working with so many others who also have demanding problems in certain areas. We don't need more advice - we need people to do it."
- 5) "Since the beginning of the school year I have felt that I am inadequately providing for the special needs students in my class and yet I go home each evening exhausted. The future does not look very bright this year! Today another student registered which will make enrollment 30."
- 6) "Will not work unless support staff is actively and regularly involved with the child. Teacher has to be willing to take special needs children -- some are better equipped to work with these children. Certificate training leaves you totally unprepared for special needs children. Most teachers can just barely cope."
- 7) "Class size is the biggest single problem."
- 8) "More support personnel, materials, and time needed to prepare special needs curriculae."
- 9) "Unless teachers are to be given better training and better back-up services, then special needs students will continue to be special needs students - that is - their needs will not be met."
- 10) "We have in our school students in regular classes who require special assistance which we cannot provide. Therefore we are not able to meet these needs even though we can see what needs to be done. Give us the resources and we'll do the job."

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- 11) "We need financial assistance and much more specialized training. We also need more support people for classroom teachers - e.g., resource, remedial, reading clinicians, psychologists."
- 12) "I have not found the time (with no prep time during the teaching day), the materials, nor the personnel to sufficiently meet the needs of the special needs students. I am frustrated at my own ignorance and inability to do justice to my special needs students."
- 13) "Let's not kid ourselves. The average teacher's workload and training does not allow for the integration of special needs students. Teachers will try their best but if we do not get sufficient support these students will simply be left to vegetate in the classroom."
- 14) "Recently needed resource time in our school has been cut down. This seems to me to be contradictory to the whole concept of Bill 58. If the government is going to provide us with help for incoming children with special needs why then are they taking away the resources that we already have to cope with the children with special needs that are now in our schools?"
- 15) "I believe an orientation for the teacher, support by training staff - not only volunteers - to maintain a beneficial program are necessary. Equipment, instruction in the use of it, and help with the choice of equipment and teaching materials are also essential."
- 16) "There is no provision for extra time to work with the student. Classes remain the same size, and there is little help in preparing materials. However, I do think integration (for the students I know) is a good thing."
- 17) "Placement of special needs students should be handled very carefully, with careful consideration of the student's needs first and foremost."
- 18) "Preparation and support for the blind student by the Department of Education C.D.S. has been excellent."
- 19) "Special needs students definitely belong with their peers. The classroom teacher alone is at times overwhelmed with the responsibility of meeting all the students' needs. Help is needed and should be available."
- 20) "I have no training in how to handle special needs students. They are just here. I have no resources, no help, no time, no skills. They just sit there and keep quiet, or else!"
- 21) "Communication between the school and the Department of Health and Social Development regarding services for some of these problems is inadequate. We often receive children from other schools who require special programs to develop academic

skills. Record keeping is woefully missing from files as to skills and programs. We need to be sure this information reaches a receiving school as soon as possible to assist the child in adjusting to a new school."

22) "HELP!!"

End of Brief.