



STANDING COMMITTEE ON HUMAN SERVICES

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STANDING COMMITTEE ON HUMAN SERVICES

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Mr. David Forbes, Deputy Chair
Saskatoon Centre

Mr. Russ Marchuk
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Mr. Roger Parent
Saskatoon Meewasin

Mr. Corey Tochor
Saskatoon Eastview

Hon. Nadine Wilson
Saskatchewan Rivers

Ms. Colleen Young
Lloydminster

[The committee met at 19:00.]

The Chair: — Good evening, everyone. Welcome to the Standing Committee on Human Services. I'm Greg Lawrence, the Chair of Human Services. Substituting in for Mr. Forbes is Mr. Wotherspoon. We have Ms. Young, Ms. Wilson, Mr. Tochor, and Mr. Parent with us tonight.

This evening we will be considering three bills: Bill No. 163, *The Education Amendment Act, 2014*; Bill No. 174, *The Registered Teachers Act*; Bill No. 175, *The Registered Teachers Consequential Amendments Act, 2014*.

We will start with Bill No. 163, *The Education Amendment Act, 2014*. This is a bilingual bill. By practice, the committee normally holds a general debate on clause 1, short title. Minister Morgan is here with his officials. Minister, if you would please introduce your officials and make your opening comments.

Hon. Mr. Morgan: — Thank you, Mr. Chair. It's my pleasure to be here today to address the proposed bills: *The Registered Teachers Act*, Bill No. 174; *The Registered Teachers Consequential Amendments Act, 2014*, Bill No. 175; and *The Education Amendment Act*, Bill 163.

Joining me from the Ministry of Education are Julie MacRae, deputy minister; Clint Repski, assistant deputy minister; Gerry Craswell, executive director of information management and support; Sara Hawryluk, director of legislative services and privacy; and my chief of staff, Drew Dwernychuk.

As you may know, I first brought forward *The Registered Teachers Act* in November 2014, seeking to form a new regulatory board for teachers in Saskatchewan. Government initiated the change to provide Saskatchewan teachers with the same authority and responsibility as other self-regulated professions in the province.

Currently the minister is responsible for certifying all of Saskatchewan's teachers, while the Saskatchewan Teachers' Federation is responsible for teacher discipline at publicly funded schools, and the League of Educational Administrators, Directors and Superintendents is responsible for the disciplinary process for administrators. Meanwhile the ministry holds disciplinary responsibility for teachers at independent schools, custody and care facilities, and post-secondary institutions. The multitude of entities holding disciplinary responsibilities is confusing.

The Registered Teachers Act will provide a regulatory process that is free of real or perceived conflict of interest, permit the professional conduct committee to apply to a judge for a court order to suspend a teacher's certificate, provide for timely action to be taken when a registered teacher is convicted of an offence, and provide for a single independent organization to administer the regulatory process. To increase transparent accountability, the ministry is looking to consolidate teachers' certification and discipline within one legislative framework.

The Registered Teachers Act provides this consolidation and will see the responsibility for all teachers' certification and discipline to move to the proposed Saskatchewan Professional

Teachers Regulatory Board. The board will be an independent entity comprised of seven teachers and two members of the public, including three teachers appointed by the Saskatchewan Teachers' Federation; one teacher appointed by the League of Educational Administrators, Directors and Superintendents; three teachers appointed by government, only one of whom may be a member of the Saskatchewan Teachers' Federation; and two members of the public who are not teachers appointed by government.

This structure provides balance within the government framework and includes a public presence on oversight. This Act is a major step toward the creation of professionally led, self-regulating bonding for the teaching profession in our province.

The creation of the new Act requires amendments to several existing Acts including *The Education Act, 1995*; *The Teachers' Federation Act, 2006*; *The League of Educational Administrators, Directors and Superintendents Act, 1991*; *The Teachers Superannuation and Disability Benefits Act*; and *The Teachers' Life Insurance (Government Contributory) Act*.

The Registered Teachers Consequential Amendments Act, 2014 will address the required amendments and will specifically remove all mention of certification and discipline functions from *The Education Act, 1995*. This means that the eligibility for an individual to hold a teaching certificate has been removed from the responsibility of the STF [Saskatchewan Teachers' Federation] and LEADS [League of Educational Administrators, Directors and Superintendents] and will become the responsibility of the Saskatchewan Professional Teachers Regulatory Board. The STF will maintain functions such as collective bargaining for teachers, advocating for the profession, and providing support for teachers.

In spring 2014 a transition committee was established and consisted of representation from the ministry, LEADS, the STF, the Saskatchewan School Boards Association, the Federation of Saskatchewan Indian Nations, and the First Nations directors of education, as well as a member of the public. The committee has reviewed and provided extensive feedback on the new Act and consequential amendments and are supportive of the regulatory model of the new Act.

The new Act creates the structure and governance for the regulatory board, and we look forward to seeing them complete their work. I want to reassure you that teachers and member organizations do an incredible job of putting the safety of our 173 students at the forefront. These changes are about maintaining public trust, integrity of the teaching profession, and improving the safety of our students.

Of course our work doesn't end there. I'm also pleased to address several proposed amendments to *The Education Act, 1995*, which are required to be in place by September 1, 2015. Through *The Education Amendment Act, 2014*, I propose to rename section 4.1 of *The Education Act* to the Education Scholarship Fund. The fund will include the Prince of Wales and Duchess of Cornwall Scholarship and the Queen's Diamond Jubilee Scholarship in alignment with the Premier's announcement on May 23rd, 2012. Consolidating these

scholarships into one fund and renaming the fund will allow for the addition of future scholarships.

The Education Amendment Act will also seek to amend two expressions used in the French version of *The Education Act, 1995*, which were identified in April 2013 by the translation services unit, Ministry of Education; and legislative drafting, Ministry of Justice in consultation with their legislative translators.

Additionally I propose to streamline the borrowing powers of boards of education and the conseils scolaires. Currently ministry approval turnaround times for school divisions to borrow funds for major capital projects are not meeting financial institution deadlines. This amendment will require board or conseil resolutions to only include the amount proposed to be borrowed and the purposes for the expenditure with good faith that they will seek out the best repayment terms and interest rates.

Finally *The Education Amendment Act* seeks to provide the Minister of Education the authority to allow school divisions to start the school year prior to Labour Day when it occurs on or after September 5th. In September 2015-16, Labour Day will fall on September 7th. As *The Education Act* currently states the first day following Labour Day is the earliest day school divisions can start, the upcoming school year would not begin until September 8th. This may lead to a loss of four instructional days for students and teachers in the classroom. By amending the Act to allow school divisions the ability to start the school year prior to Labour Day in such instances will ensure that they are able to comply with the legislative requirements to provide 950 hours of instructional time to students even in years when Labour Day falls later in September.

Mr. Chair, I am therefore pleased to recommend that Bill 173, *The Registered Teachers Act*; Bill No. 174, *The Registered Teachers Consequential Amendments Act, 2014*; and Bill No. 163, *The Education Amendment Act* move forward to a third reading. I'm pleased to welcome any questions that you have regarding these amendments and this bill.

The Chair: — Mr. Wotherspoon, you had some questions.

Bill No. 174 — *The Registered Teachers Act*

Clause 1

Mr. Wotherspoon: — Sure. Maybe we'll go and we'll focus in on one bill at a time with some of the focus. And we'll start first of all with Bill No. 174 and then the consequential Act to go with it.

Can you speak to the scope of the regulatory board?

Hon. Mr. Morgan: — The board will basically have two functions. One will be to deal with discipline of teachers and would include provisions for the appointment of a disciplinary board or a disciplinary panel to be set, hearings to be done. And then there would be bylaws that would specify the rules that you would expect around a hearing: what things would be public, reasonable notice, allowance to ensure that people have

the opportunity to obtain counsel, that type of thing.

The second portion of the Act deals with teachers' certification. Right now the process is done in-house, and we feel it should be done independently. So the processes in place for currently certifying new teachers would on a transition basis continue on, and we assume that they would assume responsibility for any changes or recommendations that might be made. Right now there's been no direction given or anticipate that there would be any changes. We assume that that would be a relatively seamless transfer.

Mr. Wotherspoon: — When was the desire to establish this new structure initially contemplated and initiated by government?

Hon. Mr. Morgan: — Spring of 2013.

Mr. Wotherspoon: — Can you be more specific?

Hon. Mr. Morgan: — Yes. Late spring, early summer of 2013, probably June of that period of time.

Mr. Wotherspoon: — Did the desire to look at this come from cabinet, or was it being looked at in the ministry?

Hon. Mr. Morgan: — No, there was no direction that came from cabinet. I think it came from the ministry, probably as a result of a series of articles done in the media. That would have been a triggering event, and then the ministry looked at it and made recommendations to cabinet.

Mr. Wotherspoon: — So those would've been I believe some stories that ran in the end of June and towards the end of the school year that year. Is that correct?

Hon. Mr. Morgan: — Yes.

Mr. Wotherspoon: — Did government play any role in sharing information for those stories?

Hon. Mr. Morgan: — Not that I'm aware of, and I suspect that they wouldn't have.

Mr. Wotherspoon: — In the ministry, was there any consideration of this structure or movement on this front prior to those stories?

Hon. Mr. Morgan: — You're going back to a time before I was the minister. I'm not aware of . . . No, I don't believe there was.

Mr. Wotherspoon: — So how did that work? The stories ran and then the ministry took this on? Or the stories ran and the then Ed minister along with the cabinet?

Hon. Mr. Morgan: — The stories ran and the ministry did some work on it, and there was a sense that the STF was very earnest and was trying to do a good job in what they were doing. We felt that there was an inherent conflict, that the same entity that was advocating on behalf of teachers should not be the one that would be disciplining the teachers. We agreed with that aspect, and we felt that was a troubling thing.

We also had concerns about process and public confidence in the system. By and large, the vast majority of teachers are committed, hard working, and wouldn't fall afoul of it. But when there is that type of a situation, there is certainly a need to have public scrutiny where there would be a hearing process and something that we felt should be removed both from government and from the STF which is the primary advocate for teachers.

As you are aware, we commissioned Dr. Dennis Kendel to do a review and make recommendations, and he made very strong recommendations. He's the former registrar of the College of Physicians and Surgeons. I know some of the statements that he'd made in the report the STF didn't agree with, but nonetheless I think the STF accepted that it was an appropriate thing to have an entity separate from them and separate from government.

Mr. Wotherspoon: — He noted what might be perceived conflicts. Through your analysis in looking at the structures that were in place, do you feel there was real conflicts?

Hon. Mr. Morgan: — At a bare minimum, there was certainly a public perception of conflicts. I think the reality of the conflicts would probably vary from case to case, but I think the public perception and the public confidence was an overriding concern. And we didn't go back with a view of reviewing specific decisions and saying, oh well there was or was not a conflict. We felt that public confidence in the system was such that we thought it was appropriate to move forward with the recommendations.

[19:15]

Mr. Wotherspoon: — Looking at the structure, I know that it's predominantly teachers appointed by various organizations. You touched on those comments in your brief remarks. Could you just be specific once more as to who is making those appointments, and the allocations.

Hon. Mr. Morgan: — The Act requires a minimum of three teachers to be appointed by STF; one to be appointed by LEADS; three to be appointed by government, who are teachers — of those, at least one of them would not be a member of the STF; and then two members of the public that are not teachers.

Mr. Wotherspoon: — How is this going to be paid for this year and moving forward, and what's the cost?

Hon. Mr. Morgan: — We've allowed a budget allocation for this year. The commitment the government has made is that in at least year one and into year two, the cost will be borne by government, and then thereafter it would be something that would be negotiated.

Mr. Wotherspoon: — So year one and year two, governmental covered. I know I'm on the record with stating concerns over cost, and certainly they shouldn't be out of the pockets of teachers who, you know, have been put in a difficult position. Certainly it shouldn't be out of boards who have already too thin of resources. So year one and two is committed. How will you negotiate moving forward when you have a contract? Is that at the conclusion of the teachers' contract, I guess would be

my question?

Hon. Mr. Morgan: — No. That got us through the start-up of the thing. We made the commitment in writing to the STF that we would do it for the first two years prior to the current collective agreement being in place.

We would expect that this would be no different than the professional fees paid by other professions that work in government or work elsewhere. Lawyers and other professionals that have got . . . [inaudible] . . . is usually negotiated as part of the contract and are negotiated every year. I don't know of a situation where the fees would not be covered. It's possible that there may be a situation where, to use lawyers for an example, the government would ordinarily pay the Law Society fees which are the licensing, but the Canadian Bar Association, which is part of professional development and the social life, are not covered.

Mr. Wotherspoon: — These were included in the past I guess as part of the resources of the Teachers' Federation. So those would have been covered in the past, this role, through I guess the dues that they would pay. Is that correct?

Hon. Mr. Morgan: — In the past I'm told that the STF fees were paid by the individual members. I'm not fully . . . on what had happened in the past. For purposes of the regulatory board, our expectation would be that for the first two years that it would be paid for by government and then would be negotiated after that.

Mr. Wotherspoon: — And who are you negotiating with, directly with the teachers or with the school boards as well?

Hon. Mr. Morgan: — The entity that negotiates on behalf of government, as you're aware, would be the SSBA [Saskatchewan School Boards Association]. So we would probably ask the SSBA during the next round of negotiations or whenever, to raise the issue on behalf of government. I think it's a fair statement that this is a requirement of what they need to do to work, so I would expect that the ask will be from them that all of the costs or all of the reasonable costs would be borne as part of the employers' expense.

Mr. Wotherspoon: — The employers' expense.

Hon. Mr. Morgan: — Yes, it would be borne as part of whatever that contract is on an ongoing basis. And you know, I can't commit to what would happen at that point in time, but it would be a reasonable expectation from them going forward that that would be one of the things that they would ask for and would negotiate on behalf of their members.

Mr. Wotherspoon: — So you're saying school boards themselves would be carrying this cost, or it would be negotiated with teachers.

Hon. Mr. Morgan: — The expectation I would expect would be that it would not be done through the school boards because they negotiate with the local contracts, that this would be negotiated as part of the province-wide collective bargaining agreement.

Mr. Wotherspoon: — Ultimately then paid for by teachers.

Hon. Mr. Morgan: — It's something that would have to be determined or it would be negotiated going forward.

Mr. Wotherspoon: — Not a bunch of clarity here tonight. What's your budget for this year and then what's the budget on the go-forward?

Hon. Mr. Morgan: — I can give you the budget for this year. I guess I don't want to have lack of clarity going forward, but we're not able to commit something that would be subject to further negotiations. We're saying, you know, it's reasonable for them to ask and, you know, it's certainly something that would be considered as we go forward. But I can't make a commitment on behalf of government beyond the two years that we've made the commitment for now.

I can give you some budget figures. We have transition funding in this year's budget of \$900,000, and then we have operating funding in 2015, a budget of 1 million.

Mr. Wotherspoon: — And if you run the numbers out, envisioning what the role and function of this board, do those numbers sort of run then with just simply the rate of inflation?

Hon. Mr. Morgan: — Well there's two numbers I gave you. One is the transition cost for set-up and establishment, and then the next year would be the operating funds. And then we don't know what it'll be after that.

I think it's difficult to say what the workload will be, both during transition and once it's operational. You know, you can use the comparison and say how much cost for lawyers but then, you know, they're two entirely different professions and it will be different types of issues to deal with.

Mr. Wotherspoon: — Has there been any comparison as to the cost of this board to deliver this role, this function, comparative to the cost of the Teachers' Federation currently?

Hon. Mr. Morgan: — I think the Teachers' Federation includes a lot of other costs that would go beyond what discipline and licensing would be. And I think it's difficult to separate those out. So we would expect significantly less than what were there, but part of the funds that are paid to the Teachers' Federation would include a variety of different health and medical benefits, some pension funds, pension contributions, and a certain amount of professional development — it all depending on how things are structured with the individual boards. But I'm not sure that it's . . . It's difficult. It would be difficult to separate the two.

Mr. Wotherspoon: — Well we know that a contract's been concluded and certainly the numbers are what they are. I think the, you know, certainly the minister probably hears from educators what they think about the contract. And I know as well educators are in a tough position, looking at things like their pensions being walked back and difficult pieces. So tacking on another \$1 million to come out of their paycheques, out of their pockets is significant.

Hon. Mr. Morgan: — We didn't indicate that there would be

any money for the first two years, it would be borne by them in the first two years. The costs are borne by the government.

Mr. Wotherspoon: — Fair enough, but they wouldn't even call it long-term thinking to be thinking about three, four, five, six years down the road. So there's significant costs that are certainly coming there, and at a time where I think our educators have been in a position of strain and have been poorly supported, and certainly boards as well within resources.

But I'd like to shift along. Cost will be something that we can, with the fact that there's two years, certainly we can follow up in subsequent meetings on that front.

Hon. Mr. Morgan: — I think a year from now we'll have a better sense of the volume of work and the operational costs would be a better position to determine what those costs might be going forward. But certainly at this point in time it's not the expectation that those costs would be borne by the profession.

Mr. Wotherspoon: — But if you've got a two-year plan to pay for it, there's just the rest of it, a teacher's life, that they'll be figuring out how the rest is funded. So it's an important point. I want to move along to the scope, and specifically around the certification. What role do you see this board playing around things like professional development, for example?

Hon. Mr. Morgan: — I'm probably going to let maybe Mr. Craswell answer.

Mr. Craswell: — So the scope of this board in terms of that will be virtually none. In negotiations or consultations and discussions with the Saskatchewan Teachers' Federation, they saw that as something that they valued as part of their role in the education system.

The purpose of this organization is to protect the public's interest and didn't see professional development as part of that role. Certainly that was a lesson that we learned when we looked at other jurisdictions, that that had been some creep in the Ontario example. And we were very clear, both in the legislation and in our discussions, that that was not going to be part of the scope.

Mr. Wotherspoon: — Thank you for that information and that answer. Does the minister concur that there's no place for professional development to be part of this body's role?

Hon. Mr. Morgan: — It's not something that we've contemplated at this point in time. Professional development is done elsewhere right now, and it wasn't one of the reasons that the board was set up. To look at other professional entities, usually that's one of the separating points, is that the professional development is usually done by another entity other than the licensing.

Mr. Wotherspoon: — Again we're not as assured by statements about what's contemplated right now, as opposed to strong, unequivocal statements around whose role is what moving forward. But recognizing that there has been issues in other jurisdictions where there's been creep on this front, recognizing that, you know, there's a structure here that may work for the discipline side of the equation and basic

certification, the professional association plays a very important role yet to the profession, along with school boards and with the professional educators of the province.

And I'm disappointed that you can't be a little bit more unequivocal about that there's no place for creep into professional development in this committee. Would you care to be more committed?

Hon. Mr. Morgan: — I have no budget for it, no desire to do it. There's nothing in the Act, there's nothing in the regulation that contemplates it or allows it. If at some point in time the STF doesn't do it or wants to pass it over or they decide that there's some joint things, that's a point of discussion. But at this point of time, it's not on the agenda at all. I would be opposed to seeing any kind of creep. Right now the professional development is provided either through the employer or the universities, is the direction that we would go in.

Mr. Wotherspoon: — I think that some people will note of course the minister's a lawyer. He's using a bit of legal language around what he's committed to right now, but I think it's important as well to make commitments about where things are headed in the future. But certainly that'll be something that I know the profession will be observing closely, and I think it's important that we're clear at this point in time.

Hon. Mr. Morgan: — At the risk of sounding like a lawyer yet again, I'll read from the Act. It says:

The objects of the regulatory board are to establish and administer the professional certification and standards of professional conduct and competence for teachers for the purposes of serving and protecting the public.

I don't read anything in there that would allow professional development or anything as part of that. So you know, it's just not on.

[19:30]

Mr. Wotherspoon: — Well that's where it should be, and that's where it needs to maintain into the future. You know, with due respect, your government has had a single-mindedness at times when it comes to education and in other areas in thinking that they know best. And I believe the role of professional educators is incredibly important to ensure that we're serving Saskatchewan's students and maintaining the morale and addressing the issues that are important to the profession. So I'm glad to hear there's not one desk or two desks set up for John Black and any of his associates at this point in time, and it'll be something that we continue to observe closely as we move forward.

The timeline moving forward, can you just provide a few specifics? Have you secured space? You know, where will you be located? What do you need as far as space? What will you have as far as FTEs [full-time equivalent] to deliver this role?

Hon. Mr. Morgan: — The proposed operational date is October 1st, and I think we're on target to meet that date. We don't have a specific space confirmed yet.

Mr. Wotherspoon: — Any tentative spots?

Hon. Mr. Morgan: — We understand that Tommy Douglas House might be coming available. No. No. No, we don't. Pardon my bad humour.

Mr. Wotherspoon: — Well I think, you know, I guess the other area I wouldn't mind just flushing out before we close considerations, there's I think for good reasons with this government a lack of trust of educators when you're making changes, and we'll probably talk a bit about that in the second bill that we get into. Consultation is important.

If I wanted to pass along I guess a positive that I've observed through this process, it does seem that there's been better engagement of the sector partners by your government on this project than really anything you've touched in education in the past. Now that's not a real high bar that's been set in the past in education. Consultation often has been non-existent. But I do want to credit certainly government for ensuring proper engagement of stakeholders.

I would be interested in hearing at this point in time through that process if there's outstanding issues or concerns, unintended consequences that have been identified to the government by the sector partners.

Hon. Mr. Morgan: — Not that I'm aware of. We largely had the consultation done by the ministry officials. I checked back with the ministry officials and with some of the key stakeholders as we went along. During the course of the process, I met with the SSBA on an occasional basis but more often with the STF because it was their profession that was directly affected. And then the advisory committee that was structured, I met with some of those individuals as we went along just to make sure that we had a comfort level.

The fear factor that I had going into this: that we saw what happened in both British Columbia and Ontario where they collapsed of their own weight. So we wanted to ensure that we had a system that was strong enough that the public would have confidence in it but yet that it was funded adequately going into it, so that's why we made the commitment for the funding. That was one of the issues that were raised.

And then some of the other things that people asked were, what things should or should not be made public? And we said, you know, you look to what's taken place. Get some legal guidance to make sure that you do things appropriately, that you follow the principles of natural justice, that you see to it that everything that you do is done with (a) an interest for what's best for the profession and, secondly, what's right for maintaining public confidence in building some public trust.

Mr. Wotherspoon: — Thanks for that information. Would it be fair to say that where government maybe thought they initially would go with this board or this project changed through the consultative process?

Hon. Mr. Morgan: — The only significant change was the initial recommendation from the Ministry of Justice lawyers that we should consider a membership-based model with one member, one vote, and it would be a membership-driven model.

And the people that were on the panel, largely retired teachers, said that they'd thought it would be . . . That was one of the problems that took place with the out of province was you had a small group of people that would be capable of controlling the process or setting a budget. We'd be better off to have appointments from the various stakeholder entities and try and create it as a regulatory model rather than a membership model, so we accepted their direction on that.

Mr. Wotherspoon: — Any other significant changes from what was initially contemplated and what was arrived at?

Hon. Mr. Morgan: — No. That would be it.

Mr. Wotherspoon: — Well I think at this time I've satisfied some of the questions that I had as it relates to this bill. I'd certainly thank all the sector partners for their engagement and certainly your ministry officials for their work in this process, and we'll be on watch to make sure that that creep doesn't occur with the mandate as we've seen in other jurisdictions. And certainly we'll also be observant to making sure that this doesn't just get pulled directly out of the pockets of teachers who are already working with very modest resources.

Hon. Mr. Morgan: — We respect and value the teachers in our province, and they are people that we entrust our most valuable resources to: our children and our future. The consultation and the discussion I've had with teachers . . . They in a general sense are looking forward to it. The concerns that they have they've raised, and the points that you've made are the same ones that they're making, so we'll certainly watch them.

The Chair: — We'll deal with this bill right now. So are there any more questions or comments from any other committee members? Seeing none, we will proceed to vote off the clauses on Bill 174. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 64 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows: *The Registered Teachers Act*.

Hon. Mr. Morgan: — Mr. Chair, I'm not sure whether the committee members have got more questions on the consequential amendments or whether we can vote those as well now. Sorry, I didn't mean to . . .

The Chair: — Okay. Can we finish this one? I would ask a member to move that we report Bill No. 174, *The Registered Teachers Act* without amendment.

Ms. Young: — I so move.

The Chair: — Ms. Young moved. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

Bill No. 175 — *The Registered Teachers Consequential Amendments Act, 2014/Loi de 2014 portant modifications corrélatives à la loi intitulée The Registered Teachers Act*

The Chair: — We will now consider Bill No. 175, *The Registered Teachers Consequential Amendments Act, 2014*. This is a bilingual bill. By practice, the committee normally holds a general debate on clause 1, short title. Minister Morgan, do you have any opening comments?

[19:45]

Hon. Mr. Morgan: — I don't. Anything that I had was dealt with previous, so I think we're ready to vote on that one.

The Chair: — Okay. Are there any more questions or comments from any other committee members? Seeing none, we will proceed to vote on the clauses. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clauses 1 to 3 inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and consent of the Legislative Assembly, enacts as follows: a bilingual bill, *The Registered Teachers Consequential Amendments Act, 2014, The Registered Teachers Act*.

I would ask that a member move that we report Bill No. 175, *The Registered Teachers Consequential Amendments Act*, a bilingual bill, *The Registered Teachers Act* without amendment. Mr. Parent so moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. So at the top of the meeting I called for Bill No. 163. We skipped over that and went to Bill No. 174. We carried on with Bill 174 because of the minister's opening statement. So we will now consider Bill No. 163. Mr. Minister, do you have any opening comments?

Bill No. 163 — *The Education Amendment Act, 2014/Loi de 2014 modifiant la Loi de 1995 sur l'éducation*

Clause 1

Hon. Mr. Morgan: — The comments that I had to make, I made earlier with regard to all three pieces of legislation. So we're ready for questions, Mr. Chair.

The Chair: — Mr. Wotherspoon.

Mr. Wotherspoon: — Thanks. Thanks so much. We'll get to the questions here on the bill. I don't know that we'll need a whole bunch of time tonight if we can have answers to the questions that we'd have.

I guess the changes that were made initially to the school year,

the start date, who did you consult with at that point?

Hon. Mr. Morgan: — Initially the legislation was that school would not start until after the Labour Day weekend. And there was not a lot of public consultation done on that. I felt really strongly at the time myself that it was the right thing to do. I'd been a public school board trustee, and I know we agonized about it. And there was always the potential of a disparity, that you would have a family that would have students in one school would be starting before Labour Day and then a child in another division or another school or another grade that would start after. So it effectively just didn't work well for families or for students that were employed during that period of time.

So we made the decision that we felt that we should not have a situation where school started before Labour Day. And when it did start before Labour Day, it was usually only a gain of a day or a day and a half, so we thought it was something that would be workable. So we made that announcement. We introduced the legislation. We were of the view that it was one of those things that was somewhat like daylight savings time. You could consult forever and not get a clear direction from anyone that would be . . . that it comes down to a matter of opinion.

In any event after it was passed, we heard from school divisions about the difficulty that they would have in situations where Labour Day was on or after September 5th, as we have in years 2015 and 2016 because of the leap year. So we did a round of consultation that perhaps we should've done earlier and decided, okay, for those particular years, it would be an appropriate thing to do. And then of course it now requires a legislative amendment, which is what's before you tonight.

Mr. Wotherspoon: — When you initially announced this commitment without consultation with sector partners or in any broad way, did you have some polling information as to the popularity of this change you were making?

Hon. Mr. Morgan: — No, it was things that we'd heard from parents, from families. As you're aware, it was right during the election, and the election was a few weeks after the Labour Day weekend. So it was something I certainly heard. And I thought back to my own time on Saskatoon Public School Board and thought this is something that there should not be a lot of vagary on and different things. Not saying that people were making bad decisions, but different decisions that we should try and standardize and give some direction on it. So that was the purpose. So the consultation at the time consisted of things that we heard at the doorstep from parents and from families.

With the benefit of hindsight, we should have had some discussion with the divisions and with the SSBA and with the STF to determine what the impacts would be. And we would have probably done a more careful analysis with the calendars, but we wish to make the change now.

The consultation we've done now with this change, the divisions are strongly supportive of where we're going now because this gives them the ability to deal with it for the two subsequent . . . this year and next year, and also gives them the certainty where they are in other years. So we think we've reached an appropriate compromise.

Mr. Wotherspoon: — So I won't beat this debate to death. I appreciate the minister's contrition and recognition of some erring in ways here and some efforts to try to resolve that. The consultation, or the lack thereof, with the education sector with this government has certainly been a problem, as well as the lack of any sort of a long-term sort of view to the system and often to the province. And the calendar itself could have been rather helpful to look out just a few years to see some of the practical implications that were resulting from the one-off announcement by government. But you've addressed those points and it's, in part, the purpose of the legislation here before us.

I'd like to get a better understanding of the scholarships and what those changes represent.

Hon. Mr. Morgan: — I'm going to let Mr. Repski deal with it. When the section was initially included, it dealt with a specific scholarship, dealing with the Prince of Wales Scholarship. And then over time that was funded, scholarships were given, but it was felt that the government may want to appropriate more money and have a different range of scholarships, not wanting to diminish or take away anything that was done with regard to the Prince of Wales Scholarship. I don't know whether Mr. Repski can give you a brief answer otherwise.

Mr. Repski: — No, I think that's exactly right. In 2012 the Premier announced that the Prince of Wales Scholarship will be renamed to the Prince of Wales and Duchess of Cornwall Fund, and the creation of a new scholarship, the Queen's Diamond Jubilee Scholarship. Consolidating these into one fund and renaming them the Education Scholarship Fund is going to allow for an addition to future scholarships.

Mr. Wotherspoon: — Thank you. So what's the current commitment of government to that fund, and what's been the increase?

Mr. Repski: — In terms of the scholarships the total is \$16,000, and it's broken down as 20 students are chosen every year as the Prince of Wales and Duchess of Cornwall winners. They each receive \$500 each, presently \$250 per semester, but that's going to be consolidated into one payment. These students are going to be going into grade 12, so that's \$10,000. Six students are chosen as the Queen's Diamond Jubilee winners — they receive \$1,000 as a one-time payment to help with their first year of post-secondary studies — for \$6,000.

Mr. Wotherspoon: — Is there any . . . Sorry, the total amount to the . . . Thank you for those answers. The total allocation from the government, what was it previous and what is it now?

Mr. Repski: — It's \$16,000 for this year, and I don't believe there was a change to that this year.

Mr. Wotherspoon: — Sorry, just to clarify, how much is the commitment this year from the government?

Mr. Repski: — It's \$16,000 in total scholarships.

Mr. Wotherspoon: — And was it mentioned that there was a desire to enhance scholarships through this new structure?

Mr. Repski: — This structure allows us to add additional scholarships without having to amend the legislation. So by having this in regulation, we don't have to amend legislation every time we add a new scholarship to it. So it gives us the flexibility to add.

Mr. Wotherspoon: — Did the Minister of Education receive any scholarships back as a young student?

Hon. Mr. Morgan: — I suspect I received about the same amount you did.

Mr. Wotherspoon: — I was the top-graduating phys ed student, but the . . . It's a pleasure to move along with some of these other questions here. Can you give us a sense of what changed around home-based education?

Hon. Mr. Morgan: — It deals with a translation issue. There's no change in policy. When the legislation was reviewed by the drafting team, they felt there was some inconsistencies between the English and French versions, so it was just a straight clarity matter. No change in policy.

Mr. Wotherspoon: — Was there consideration of addressing the changes this government brought forward around school, year-round teaching time and the inequities that have resulted and the consequences that have resulted and the minutes that have been tacked on to school days?

Hon. Mr. Morgan: — As part of this legislation?

Mr. Wotherspoon: — Yes.

Hon. Mr. Morgan: — No, this one deals solely with the Labour Day weekend. You'll be aware from the committee estimates that there was the task force on teacher time and the committee that's doing work with STF. And I'm not able to speak to the process that they're making, but I understand the work is under way.

Mr. Wotherspoon: — Sure. It's just another example of not thorough consultation with the sector and consequences, inequities that have been created. And certainly from my perspective, you know, unilateral change without dealing with it through a collective bargaining process, that just seems, just seems wrong.

So I appreciate that there's a committee. I don't know what that means exactly as far as a timeline and what actions will be taken to resolve the matter, but the longer that it remains, you know, sort of the current . . . that the status quo of what's been created by this government festers, I think is a problem.

Hon. Mr. Morgan: — We appreciate the issue that there is with the disparity between the school divisions and wish to respect the autonomy of the school divisions to negotiate their contracts individually, and want to work to try and promote the well-being of the teachers in our province. And we'll continue that work.

I certainly take strong exception that there would be any issue of lack of commitment on the part of government or a lack of consultation because it's a situation with the local contracts that

existed under the prior government. And now it's something that's there, it's apparent, and that we want to have those discussions with the teachers, with STF, with SSBA, and with our partners, and that's what's under way.

If there was a festering problem there, I think it was festering under a previous administration. And had they chosen to deal with it, we wouldn't be dealing with it now, but we will deal with it.

Mr. Wotherspoon: — Well I was going to move along to the next question, but your response merits one as well. I mean again, just sort of this monkeying around with these matters without consultation creates issues, you know, when we should all be focusing our resources around the best learning environment possible and engagement possible. We've had a government that's sort of been doing these one-offs and unilateral actions really outside of the collective bargaining process, not understanding inequities that they're creating.

[20:00]

You know, I think anyone who thinks that tacking a few extra minutes on either end of the school day at a time where our classrooms are strained for the resources that they require and think that somehow that that's going to improve learning, just don't get the reality of the classroom. But I'm reluctant to get into a long, protracted debate on this matter here.

It's something that if the minister would sit down with teachers, he'd have identified, if he'd sit down with students and parents, he'd hear is a problem. And I don't know the exact school start times and whatnot but, you know, moving things back seven minutes and tacking on extra at some other point and meanwhile not addressing the needs in the classroom just hasn't improved student learning.

Hon. Mr. Morgan: — You can certainly count on me to go back to the committee, to the STF, and say that you regard their work as monkeying around with things and that you would rather we not do it. And I will certainly also tell that them that I had planned to overrule you and urge them to continue their good work.

Mr. Wotherspoon: — I hope you wouldn't take my comments out of context, and they'll certainly go back and . . .

Hon. Mr. Morgan: — I would take them right out of *Hansard*.

Mr. Wotherspoon: — Well they can certainly refer to *Hansard*, but really what we've seen from this government is a simplistic agenda in education that hasn't been one of consultation, where it's been monkeying around, where we now see this sort of cleanup that's occurring. That's certainly the case with the unintended consequences around the school year, and there's a whole host of unintended consequences around the monkeying around of this government when it came to the hours and the impacts around the teaching day and in inequities.

Now the work moving forward in the engagement of the entire sector and certainly the Teachers' Federation and your ministry, good faith is going to be critically important to resolve this matter. And we'd urge your attention not to sort of spin and

torque things around in this committee but to focus your attention in earnest to working with those sector partners.

I'd like to move along to the borrowing changes here and just get a full sense of what those changes represent.

Hon. Mr. Morgan: — I'll let Mr. Repski have a brief answer on that.

Mr. Repski: — So the borrowing provisions that are being proposed at this point in time are really in here to streamline the borrowing process for school divisions. It doesn't change the overall powers. This is a procedural matter.

Hon. Mr. Morgan: — Under the current legislation, the borrowing resolution has to be approved by the government. Then what the boards would do is they would go out, determine what kind of a loan they would get, submit it to the government. By the time the government approved it, the terms might have changed. Now the repayment conditions don't need to be included, just the principal amount and the interest rate. The terms don't need to be included because those may change. So it's just a straight streamlining done at the request of the boards.

Mr. Wotherspoon: — It certainly seems common sense. I know that boards certainly recognize the borrowing process is often cumbersome and time consuming. I know there's changes made around school board borrowing and how capital projects will be funded, which are good. These are changes I've been calling for, as the minister knows, for some time. And I think the two previous ministers before him have heard my speech about the wasted time and energy and certainly resources on higher interest debt that school boards are forced to take on, only to be repaid by the provincial government. So I'm pleased to see those changes brought.

In light of those changes that were brought forward in the budget, and we haven't dealt with the budget bill yet that deals specifically with those items, are there any impacts to what's been brought forward in this legislation?

Hon. Mr. Morgan: — This would allow for the borrowing that would be done by boards individually. The capital borrowing would be done by government on behalf of the boards. So this would be for a situation where a board would have an operating line of credit or a short-term loan to do some PMR [preventative maintenance and renewal], that type of thing.

Mr. Wotherspoon: — Thanks for that explanation. Just looking through, could the minister explain the changes as they relate to pupils with intensive needs?

Mr. Repski: — That's simply a translation correction, the same as the other francophone component, to be in line with regulations. There's no change to the substance. It's just a correction of the translation.

Mr. Wotherspoon: — Very good. Thanks. I'm just going through the items that are listed in the legislation here. Scanning some of the questions that I had laid out in advance of coming in here, I believe I've covered the territory that I wanted to cover. So thanks for the information here tonight.

The Chair: — Are there any more questions or comments from any committee members? Seeing none, we will proceed to vote on the clauses. Clause 1, short title, is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried.

[Clause 1 agreed to.]

[Clauses 2 to 12 inclusive agreed to.]

[Schedules A to C inclusive agreed to.]

The Chair: — Her Majesty, by and with the advice and the consent of the Legislative Assembly of Saskatchewan, enacts as follows: a bilingual Act, *The Education Amendment Act, 2014*.

I would ask that a member move that we report Bill No. 163, *The Education Amendment Act, 2014*, a bilingual Act, without amendment.

Hon. Ms. Wilson: — I so move, Mr. Chair.

The Chair: — Ms. Wilson moves. Is that agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. Mr. Minister, do you have any closing comments?

Hon. Mr. Morgan: — Yes, Mr. Chair. I know we've had building staff working this evening, and so I want to thank them for giving up their evening, as well as the time of the members and also the ministry officials who I know spend a lot of time in preparation for this process. So I want to thank everybody that was involved in it, yourself included, Mr. Chair.

The Chair: — Mr. Wotherspoon.

Mr. Wotherspoon: — Just to echo the minister's statement, I certainly thank everyone within the building but the minister as well for his time here tonight, the officials for their time tonight and their work throughout the year, and all those in the sector in education throughout Saskatchewan: the teachers, the school board members across this province, the administrators, and of course the parents, and students, Mr. Chair.

The Chair: — Thank you. I'd like to also pass on my thanks to the minister and committee members and all the staff that's here tonight helping us out. I would ask that a member move a motion of adjournment. Mr. Tochor has moved. All agreed?

Some Hon. Members: — Agreed.

The Chair: — Carried. This committee stands adjourned until April 30th, 2015 at 1:30 p.m. Thank you very much.

[The committee adjourned at 20:10.]