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Wednesday 7 June 2000

Mercredi 7 juin 2000

Speaker
Honourable Gary Carr

Président
L'honorable Gary Carr

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LEGISLATIVE ASSEMBLY
OF ONTARIO

Wednesday 7 June 2000

ASSEMBLÉE LÉGISLATIVE
DE L'ONTARIO

Mercredi 7 juin 2000

The House met at 1845.

ORDERS OF THE DAY

SAFE SCHOOLS ACT, 2000

LOI DE 2000 SUR LA SÉCURITÉ
DANS LES ÉCOLES

Resuming the debate adjourned on June 6, 2000, on the motion for second reading of Bill 81, An Act to increase respect and responsibility, to set standards for safe learning and safe teaching in schools and to amend the Teaching Profession Act / Projet de loi 81, Loi visant à accroître le respect et le sens des responsabilités, à fixer des normes pour garantir la sécurité des conditions d'apprentissage et d'enseignement dans les écoles et à modifier la Loi sur la profession enseignante.

Mr Rosario Marchese (Trinity-Spadina): I want to welcome the people of Ontario. This is a political forum and we're on live. It's about a quarter to 7 on Wednesday night. I'm on for about 35 minutes. It's good to have a couple of minutes extra because there's so much to say. Usually at the end of the 35 minutes I'm trying, in a hurry, to encompass all the other points I wanted to encapsulate, and that never works because there's never enough time.

Today we were dealing with hearings on Bill 74, the bill that is called An Act to amend the Education Act to increase education quality, to improve the accountability of school boards to students, parents and taxpayers and to enhance students' school experience. That's what we were dealing with. This government is proud of that bill, and because they are so proud of Bill 74, they conceded the opposition, the general public, concerned Ontarians, teachers, the union bosses, two hours of participatory democracy—a full two hours.

Oh, the participants were just so thrilled to have a couple of minutes. I've got to tell you, they didn't have a lot good to say of this government, except I must admit they found a city councillor to come and support this bill, God bless her, and some other retired teacher who spoke for 10 minutes. We didn't have enough time to ask him a couple of questions, because I had a list of questions I wanted to ask him. I wonder where they dug him out from, but he was there.

But the majority of people complained about the lack of democracy in this society under this government. That's why I say, and many Ontarians say that we have

an accountability deficit. I know you hear the word "deficit" often. This is an accountability deficit that we are suffering from. Although the government is making everyone accountable, from the poor squeegee kids to the poor welfare recipients to labour to the union bosses to teachers, they haven't been able to find the time to make themselves accountable.

How do you make yourself accountable? I believe that as a politician I should be held accountable by the public. I believe in that very strongly. I believe that when people in our constituencies call for a meeting, we should be made available to them so they can tell us what they need to tell us. I make my time available on Fridays, and other days if necessary, and evenings if necessary, to meet with the public. That's at the individual level. I hear a lot of members from the government benches are so busy they can't find the time to make themselves accountable to the public. I hear a lot of complaints about many of the members, because they don't have the temerity, it seems, to face the public when they want to be critical of this government.

I believe politicians and government need to be accountable to the public. Conservatives, Reform Party people that they are, always love to talk about the common folk. They always love to talk about accountability. Everyone else should be held accountable, but not them. I argue you make yourself accountable by having hearings when you present a bill in the House, giving journalists the time to review your bills, giving the public the time to review the effects of your bills on them as parents and on their children, giving the concerned parties, in this case the teachers, the time to reflect on how badly you are whacking them, because you've been chasing them around every corner with a cane since you came into office. They're looking for a bit of time to respond to your bill because they are affected citizens. Two hours in Barrie and one day in Ottawa is all you have given us. That's why I call it an accountability deficit.

I met a fine woman at Barrie. I had never met her before. She said to me: "What can we do? I feel so often that I'm having such problems reaching out to other parents. How do we reach them so that we can talk to them about what these people are doing?" She was not a very politicized individual. She was not a political, partisan person, that I was aware of. She's becoming involved because in reading and learning and hearing from other parents who are actively involved and understand the effects of these bills on them, she got involved.

As she gets involved, she realizes how difficult the political process is, how difficult political education is, how difficult it is to involve people, and that's what they rely on. They rely, the Tories, on the public to be submissive, subservient and silent. They honour those qualities, they love those qualities, because it is only through the promotion of those qualities that they can pass any bill they want and not have the protest these bills so richly deserve.

Gradually, as people are talking about it, they're getting involved—and in those Tory ridings, yet, where they seem to have some respect for some of these people. But it's eroding and I'm happy to see it. They have gone after teachers in such a vicious way, relentlessly for five years because, in my view, they're an easy target. They are so easily victimized.

All they can do is hope that the public, through the buzzwords they use: that they're concerned about quality; that they're concerned about the little kiddies—the little kiddies come first for them; that they're concerned for accountability; concerned, yes, that the union bosses are there and they're messing up this place and they have to go after them and only the Tories can fix that—that's the language they use all the time. To hear them, there's never any substance that comes out of their mouths except: "The status quo is bad. We gotta change it. We gotta fix the problem."

Interjection.

Mr Marchese: Mr Turnbull, it's so good to see you here, whining like a little puppy.

Mr Turnbull: the non-government government that came to fix things, finding themselves in government and finding, much to my chagrin and to the chagrin of many like Walkerton, that they ain't fixing nothing. They are in fact destroying our human health. They have so decimated the ministry, Monsieur Turnbull, decapitated the Ministry of the Environment to the extent that there are no heads or brains to monitor our water quality. But they, ministers and others, say: "It doesn't matter that we have decapitated the head of the Ministry of the Environment. We haven't affected quality," because quality is their buzzword.

Do they think the public has gone completely nuts? Do they think the public is completely asleep at the wheel? In Walkerton they woke up, pretty much, and they're now worried about basics—water. While they're so busy deregulating, downsizing responsibilities to the other level, busy privatizing so they can give their rich buddies a few more dollars—"privatize" means they are abandoning their responsibility of tutelage as a government to the public.

They are abandoning their responsibility to safeguard basic things for the sake of the neo-con revolution: downsizing, privatizing, downloading, all for the sake of helping out a few of their buddies to become wealthy at our expense. The tax cut? It's at my expense; it's at your expense. You think the tax cut made you feel good by getting a few bucks that you may or may not have noticed? Six billion bucks goes out every year to make

you feel good, at what cost? At one basic cost we've seen in Walkerton: water. Is \$6 billion going out of income tax that you haven't seen worth the decapitation of the Ministry of the Environment to the extent that we have nobody there at the wheel, no brain there to protect us? I don't think it's worth it. That's what we got, though.

We've got a government that is so concerned about law and order that they have introduced a number of measures, a number of bills—the bill that dealt with the squeegee kids, those poor kids squeegeeing the windshields of the cars, making a few bucks. They are so concerned about law and order that they presented a bill saying: "Uh, uh. Society is going to the dogs. We've got to pass a bill to deal with those squeegee kids."

The Parental Responsibility Act: Six lawyers, I think there are, on that side of the bench introducing a bill to make it easier for people to sue other people who may have committed damage to property. I said that we have a bill in place already that is tougher than the one they have introduced, but to hear their lawyers say it, you'd think they have just found the light and introduced a tough law-and-order bill.

Then we have the code of conduct, Bill 81, introduced as if they just discovered the light on the issue of discipline problems in the schools. But they didn't. We have policies in place that deal with problems in our schools, but they introduced Bill 81 as if it were something new. It's a law-and-order bill.

I tell you, Speaker, the politics of how cunning these people are. When the minister introduced this two months ago, she achieved her goal already. She doesn't have to explain or define what's contained in this bill and we don't have to go into the contents of this bill, because what is in this bill is already in place. But she achieved the politics of Conservative law-and-order ideology by saying, "We're going to go after the bullies in the schools. We're going to go after bad behaviour once and for all," as if we didn't do it before.

To tell you how successful they have been, the next day a constituent of mine comes and says: "Marchese, did you hear what the government is doing? Finally they're going after the kids in the schools who have behavioural problems or who are really disruptive in the school system." The minister had achieved her goal. They're finally going after the law and order in the classroom, because we didn't have law and order before. They bring us out of the Middle Ages all the way to the 21st century with Bill 81. They're good, they're very good.

That day when she made the announcement, and she made it mandatory at the time to do the pledge of allegiance, I was a bit sickened by that. I'll tell you why.

Interjection.

Mr Marchese: I know, Monsieur Turnbull. I was, yes. And do you know what, David Turnbull? I thought, why would these fine Tories make it mandatory to do a pledge of allegiance to the Queen? It made me feel, as an immigrant of Italian Canadian heritage, that I perhaps was not a good Canadian, that I, as an Italian Canadian, must

be a terrible immigrant who somehow hasn't internalized Canadian culture very well, that I must still be something other than a Canadian.

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Mr Tony Ruprecht (Davenport): You're stretching it now.

Hon David Turnbull (Minister of Transportation): You really are.

Mr Marchese: Oh, I know, David Turnbull. I really am. Because I asked myself, why would you put it in such a way as to make it appear that it's the immigrants who have a problem?

Hon Mr Turnbull: You wouldn't know the truth if you fell over it, Marchese.

Mr Marchese: Mr Turnbull and I are having a good discussion. Please don't interrupt us; we're doing well. He says I wouldn't know the truth if I tripped over it, or fell over it. They are the bearers of light and lucidity and enlightenment. They are the bearers of truth. But this truth being exposed so beautifully in Walkerton is just the beginning, because they have managed to deal with issues of veracity—

Hon Mr Turnbull: You are disgusting, making a connection like that. You're disgusting.

Mr Marchese: I know, David. I know.

Hon Mr Turnbull: That you are playing politics—

The Acting Speaker (Mr Michael A. Brown): Order. The Minister of Transportation will come to order.

Mr Marchese: Mr Turnbull is so unhappy with me. Let me find out where he's from; I always forget.

The Acting Speaker: Order. We do not use people's names in here. We refer to them by their position.

Mr Marchese: Don Valley West. I was looking it up. The member for Don Valley West is so unhappy with me because I am making inference from the announcement the minister made a couple of months ago that would have made it mandatory for every immigrant to take the oath of allegiance, as if we are not good Canadians. So he says I am drawing an improper inference from their intent and desire to have all the new immigrants do an oath of allegiance to the Queen. Why on earth would we do that as Canadians? I draw an inference that somehow he, the member from Don Valley, and his caucus are saying immigrants are not good citizens and they need to take the oath to become good citizens.

Hon Mr Turnbull: A point of order, Mr Speaker.

Mr Marchese: Sit down. There's no point of order.

The Acting Speaker: The Minister of Transportation.

Hon Mr Turnbull: I believe there has to be some factual basis in the statements, but apparently—

The Acting Speaker: Thank you. That's not a point of order.

Mr Marchese: "I believe there has to be some factual statement." You, the good public, you make your own conclusions. I am critiquing it.

Hon Mr Turnbull: They did it in the last election and they kicked you guys out.

Mr Marchese: I know, member from Don Valley, they kicked us out, and they're going to kick you out too eventually. It's just a question of time.

Interjection.

The Acting Speaker: Minister of Transportation, one more time.

The member for Davenport on a point of order.

Mr Ruprecht: Mr Speaker, I've listened carefully, and I think while the member is speaking there should be some respect restored here in this chamber. It falls upon you to do that somehow.

The Acting Speaker: I appreciate that, and I'm working very hard at it.

Member for Trinity-Spadina.

Mr Marchese: Member from Don Valley, please, I like the discussion, angry or not. Through you, Speaker, always. I've got my eye on you, and my good eye on the public, not David. I see him anyway, but I've got my eye on the public. To the member from Don Valley, contained in this bill is this line: "Explain why it is essential in a democracy for governments to be open and accountable to all the citizens." It's in there. Through you, Speaker, to the member from Don Valley, how are teachers going to teach that? I'll read it again: "Explain why it is essential in a democracy for governments to be open and accountable to their citizens." Hah. How are teachers going to teach that when they are in their classrooms, having been whacked by Bill 74 that forces on them working conditions that they cannot fight back against, increases their workload, forces them to do voluntary activity mandatorily, takes the power completely from trustees, who are no longer accountable to the public but to the Minister of Education? How will teachers teach that, when they have been clamouring for public hearings so they can have their say and make them accountable? "Explain why it is essential in a democracy for governments to be open and accountable."

Please. It's perverse, don't you find? Good citizens of Ontario, it is perverse, don't you find? Teachers find it perverse, I, as a citizen, find it perverse, and I know most of you find it perverse. I say to you, don't give up. As a New Democrat, often I feel disenchanted and disillusioned to the extent that there are times when I say, "Why am I here?" The very people we support end up voting for the Tories and the Liberals, so I say to myself, why am I here and for whom do I fight? But if we all did that, participatory democracy would end. If those of us who have a voice for a better democracy, for a more active citizenry to fight back against the abuses of government, weren't there, it would be worse.

So I say to the public and to that person I met today and to so many who are throwing up their hands thinking, "What do we do? They're not listening," you just keep at it. Force them to be accountable. Go to their constituency offices and meet with them face to face. They cannot deny you that meeting. If they do, they're not only not Tories, not only not Reform, but some other form of sub-human, because good Reform Party members say they want to be accountable to the public.

If you're having a hard time making them accountable to you, go to the newspapers. Even though 60% of those newspapers are owned by Monsieur Conrad Black, a good buddy of Tom Long, do your best to convince them that you are their public and that your views have to be expressed in their papers, in spite of Tom Long and Conrad Black. With 60% of all the newspapers owned by Conrad Black, we New Democrats are on our own, and if we get elected it's because of the hard work and the commitment of our members.

Laughter.

Mr Marchese: The member for Don Valley has a hearty laugh. Did you hear him? A very hearty laugh. The poor guy doesn't have to do much to get much attention from his newspapers. He doesn't have a hard time having a fundraising party and earning \$4 million to \$6 million in one evening. Tom Long, their buddy—

Interjection.

Mr Marchese: Madam Mushinski's buddy as well. Tom Long was able to raise three million bucks in a couple of days—three million bucks in a couple of days. And you know what? He's running on the basis of greater tax cuts. Ha. We haven't had enough damage to our society that he's going to demand more tax cuts nationally? They took six billion bucks away from us to this point; it'll be seven billion by the end of this term. And it's not enough. Tom Long wants more. And Tom Long wants more deregulation and more privatization and more downloading. Same again does Mikey—uh, Monsieur Harris, the Premier of Ontario. That's the agenda that Tom Long is fighting for.

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I want to tell you what Thatcher, an admirer of theirs, and vice-versa, once said in a speech: "It's our job to glory in inequality and see that talents and abilities are given vent and expression for the benefit of us all." Ha. In other words, don't worry about those who might be left behind in the competitive struggle; people are unequal by nature. But this is good, because the contributions of the well-born, the best-educated, the toughest, will eventually benefit everyone, including those who are left out. This is the agenda of Mike Harris, the Premier, and the fine disciples, and Monsieur Long. Here are the effects of the Thatcher tax cuts that they're proposing.

In Thatcher's Britain—Madam Mushinski, you will know this. I will illustrate the result of the Thatcher-Major tax reforms with a single example. During the 1980s, 1% of taxpayers received 29% of all the tax reduction benefits, such that a single person earning half the average salary found his or her taxes had gone up by 7%, whereas a single person earning 10 times the average salary got a reduction of 21%. To benefit us all, Speaker, including you and me and the good citizens of Ontario and those who are left out, a British example.

Mr Ted Chudleigh (Halton): On a point of order, Mr Speaker: I don't think Margaret Thatcher had much to do with Bill 81. I wonder if we could stick to the subject.

The Acting Speaker: I'm sure it will all be tied together.

Mr Marchese: I irritate them a little bit, I know. But it's all connected. It is. Lest you thought I had forgotten Ronald Reagan, let me illustrate this point with the observation of Kevin Phillips, a Republican analyst and former aide to President Nixon, who published a book in 1990 called *The Politics of Rich and Poor*. He charted the way Reagan's neo-Liberal doctrine and policies had changed American income distribution between 1977 and 1988. These policies were largely elaborated by the conservative Heritage Foundation—a think-tank?—the principal think-tank of the Reagan administration and still an important force in American politics. Over the decade of the 1980s, the top 10% of American families increased their average family income by 16%, the top 5% increased theirs by 23%, but the extremely lucky top 1% of American families could thank Reagan for a 50% increase. Their revenues went from an affluent US\$270,000 to a heady US\$405,000. As for poor Americans, the bottom 80% all lost something. True to the rule, the lower they were on the scale, the more they lost. The bottom 10% of Americans reached the nadir. According to Phillips's figures, they lost 15% of their already poor low incomes.

I cite these examples, bringing the connection to all these things that Harris is doing. Law and order: I illustrated some examples of how tough they are, including the code of conduct—tough on the squeegee kids, tough on welfare recipients, tough on the teachers, that kind of stuff. Also, the deregulation policy, downloading policy and privatization policy, and the tax cuts and how those tax cuts affect the very wealthy while taking money out of the system, from the environment, from housing, from health, from education, to impoverish us all, those tax cuts at the expense of all those things we value as Canadians. How do you like it so far, Ontarians?

I tell you, Walkerton is only the beginning. There is more to come, because the consequences of bills have a nasty habit of enduring for a while. It's suspended for a while. Sometimes it takes a year, sometimes two, sometimes three, but eventually the fallout does come. Speaker, I say to you and to the good citizens of Ontario, in the next economic downturn, when there is no money in the kitty, when it's all gone to the very wealthy and nothing is coming in, where do you think they will go for the extra dollars they need to maintain the little they have left? They're going to go after environment again; there's a little left. They're going to go after health, education, and our social services that help our seniors, our people with disabilities, people who are abused. Where else can they go to get money? I say, pity the public. I have a great deal of sorrow for the general public, because the effects of their bills are coming.

The code of conduct: Nothing new in this bill that we don't already have, repackaged to make it appear like they're tough on law and order and that, all of a sudden, those kids who are unruly in the schools will be punished and the problem will disappear, because now we will suspend them because we have given the power to teachers to suspend.

Originally teachers and principals, two months ago, were given the power to suspend and to expel. They changed it because they learned from the public, and some of the teachers were really nervous, so they changed it a little bit, responding to the furor out there. They said, "After five years of beating up on teachers, we're going to give you a little power that you have been wanting for some time." What power have teachers been asking for? Name me a teacher who said, "Give me the power to expel or to suspend." What teacher is going to suspend in a moment of absolute sensitivity, in a moment of incredible fragility where someone is really angry—a student causes a particular problem in the classroom, the teacher is angry and says: "I've got the power to suspend. Off you go"?

I'm not looking forward to that, and I don't think a lot of teachers are looking forward to using that power. They never asked for that power. They don't want the power because they're afraid to use it. Originally there was going to be no appeal process, and now they've added a line saying, "The boards must come up with an appeal process." But even so, teachers are going to be very scared to use that ability to suspend, because they'll be afraid of lawsuits. I would be afraid, if I were them. Under the guise of giving teachers something to be able to fight a problem in a school, you say, "We're going to give you the power to suspend."

One doctor, who has since died, about two weeks ago, I say with some sadness, Dr Paul Steinhauer—I read in an obituary just a couple of weeks ago he died—said, "A tough new zero-tolerance policy on violence would only dump problem students on to the street to hit rock bottom." He also added, "Even the province's plans for so-called boot camp schools for expelled students would just create breeding grounds for bad behaviour." An expert, Dr Steinhauer; not a Tory backbencher or one of those people sitting in the stalls of the Premier's office. He said, "All these government cutbacks to schools and social services are causing a significant increase in the number of kids behaving in a negative and disruptive manner."

Think of it. They cause the problem by cutting services that young people need, that communities need, and then they say, "The answer to that problem is to give the power to the teacher to expel that student." Think of it. Isn't it dumb? Good citizens of Ontario, isn't it nuts? But that's what we have. This is the kind of government we have in power. Instead of giving us creative solutions to bad behaviour so that teachers have the tools to help young people to change and modify their behaviour, instead of giving them the tools they need, they're giving them the power to expel the student so that the problem magically goes away.

This is a stupid, stupid, stupid bill. All I'm trying to do is expose the bill for what it is. All I can hope is that if you believe us over what this government is doing, you will hold them accountable, as indeed I believe is your duty to do. If, on the other hand, you believe that what they're doing is right, then don't bother to see them.

Don't bother to call them. Don't worry about democracy. Don't worry about democratic participation. Just sit home and enjoy it as long as it lasts. It won't last long, but you enjoy it if you can.

But if you disagree, I urge you to make democracy work by holding all governments accountable—not just Tories or Liberals or NDP—whoever it is. That's the power you have, and I hope you use that power in order to achieve a greater and a better democracy in this country.

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The Acting Speaker: Questions or comments?

Mr Joseph N. Tascona (Barrie-Simcoe-Bradford): I am certainly pleased to respond to the member from Trinity-Spadina's comments in the debate tonight. The member, as always, has a certain flair, a certain point of view that he likes to express.

There are two areas that I'd like to focus on. He says Bill 81 is not new and that it's repackaged. That's not entirely true, but I would say that there have been inconsistencies across the province with respect to standards of behaviour. What we're trying to implement here is a provincial code of conduct to deal with serious infractions. The code would make an expulsion hearing automatic for students who bring weapons on to school property, provide drugs or alcohol to others, commit physical or sexual assault or robbery, and use or threaten serious harm with a weapon. Suspension would be a minimum penalty for possessing illegal drugs or alcohol, threatening or swearing at a teacher, vandalism and uttering threats to harm.

These are provincial standards. These are serious infractions. We indicated, when we were running, that it was something we were going to bring in. We've kept our word. Teachers want an environment they can teach in, students want an environment in which to learn, and I certainly believe we have to work in conjunction with school boards to make sure that happens.

I just want to comment on the member's comments with respect to the singing of "O Canada" as part of daily opening or closing exercises. Also the schools may, at the discretion of their school councils, include daily recitation of a pledge of citizenship. I want to bring to light where that came from originally. Every immigrant must say the pledge aloud as a final step in becoming a Canadian citizen. The oath was created by the government of Pierre Trudeau in 1976 and became a fixture in citizenship courts a year later. That's where it came from, and it's an honourable approach to citizenship.

Mr Ruprecht: I listened very carefully to the comments that were made by the member from Trinity-Spadina. While he occasionally stretches it, he does make some very good points. One of the major points that we would agree with, certainly, is his idea that those students with behavioural problems need a special program, need to be looked at. They need some programs that you cannot cut. What this government has done is cut those essential programs which would have directly affected the behaviour of these students.

That's not in this bill. This bill seems to me to be going with a hammer over a nut. So what you need to do is look at the specifics again. When you start cutting, especially in terms of English as a second language, as an example, you're affecting a whole generation of kids. Unfortunately, this is what this government has done: cut English as a second language, and then cut programs and cut the monies for international languages. That has other, severe consequences. On the one hand, we're saying to those new Canadians: "Please come to Ontario. We're going to help you." Even the kids who come from other countries who do not speak English well need some programs in the inner city to help them out, to help them over this hump and over this barrier. They need help. To cut these programs has consequences.

One of the major consequences will be that the integration of immigrants into Canadian life, into the economy of Ontario, is going to be postponed or prolonged, and that cannot be. Look at Bill 81.

Ms Shelley Martel (Nickel Belt): It's always a pleasure to listen to my colleague from Trinity-Spadina when he's speaking in this Legislature. There were a couple of points that I would like to pick up on, but one in particular, which has to do with the full expulsion of students.

He talked about Dr Steinhauer, who just wondered what good we would be doing for any of the students when we throw them out of the school and out of all schools in Ontario. We're not doing anything to modify their behaviour or get at the root of the problem. One thing that disturbs me greatly about the bill that's before us is that the pupil who is subject to a full expulsion is not entitled to attend any school in the province or to engage in school-related activities of any school in the province until he or she meets such requirements as may be established by regulation for returning to the school after being expelled.

Of course, because we don't have the regulations before us, none of us has any idea of what those requirements are which that student has to meet. But I wonder about the government's direction when they think the best way to deal with a student who is in trouble and who is causing trouble is to throw them out of all schools in Ontario and hope somehow the problem is going to go away. Do you really think that not allowing the student to get behaviour modification, to get some programming, to have to work with guidance counsellors, to have to work with other students, to have to work with teachers, is going to work? Do you think it's much better to have them out on the street, where nothing is going to happen to improve their behaviour?

I look at what the minister may do in terms of programming. Of course the minister may require boards to establish and maintain specialized programs, and the minister may establish one or more programs for these students, but it doesn't say who's going to pay. This is the same government that has engaged in the last five years in a cutting exercise with respect to education. We've got so many boards now which aren't offering the

special ed they should be, don't have the guidance counsellors they need, and now the minister is going to tell boards that they're going to put in programs. Who's going to pay?

Mr Chudleigh: The member from Trinity-Spadina opened his comments with a plea that there was a lack of time for discussion on Bill 81. He said there was no time for debate, and then of course he proceeded to talk about Bill 74 for a considerable period of his debate. It begins to ring a little hollow. When he got to Margaret Thatcher—I'm not sure what Margaret Thatcher had to do with Bill 74 or Bill 81—I thought he'd gone a little too far and I suggested to you, Mr Speaker, that perhaps he could get back to the bill. He proceeded not to go back to the bill but to go to Ronald Reagan. Ronald Reagan has never heard of Bill 81, and although he was a marvellous President, he has probably still not heard of Bill 81.

What we were subjected to this evening was little more than an NDP rant, a rant on socialism, which between 1990 and 1995 plunged this province into the depths of a depression. It drove industry out of this province. It created unemployment at unprecedented levels. It took the economic engine of Canada and turned it into the caboose. The tax cuts this government has implemented, the job creations—we've created over 700,000 new jobs. Best of all, 500,000 people are off the welfare rolls and back at work, with self-respect and redeemed.

An NDP rant is a sad thing to listen to when we have the recent experience of what happened to this province. I'm very pleased to rectify the record and to remind the people of Ontario that Ontario is back. We are now the economic engine of this country.

The Acting Speaker: In response, the member for Trinity-Spadina.

Mr Marchese: I heard Reagan and Thatcher in those comments. Didn't you? I thank my friends and foes for their remarks. It was useful. My duty is to expose mendacity wherever it crawls into and bring it out into the light. That's my duty.

On Bill 81, I close by saying the following: Safe school policies ought to include prevention, intervention and mediation initiatives. This bill has none of that.

Further, the punitive approach will not accomplish anything, because prevention is necessary. Families, communities and schools need support in the form of the following: early childhood learning, children's mental health services, resources for schools, community recreation available without fees, proper nutrition programs, a sufficient number of teachers to be able to deal with discipline problems, trusted school staff and psychological and special-needs professional expertise available.

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That's what we need to deal with the problems we are facing, and we are getting none of that. The outstanding issue of where to place students who offend remains a challenge, with the government funding model making

no provision for that. Society is not served well by expelling students to the Eaton Centre, not served well at all, although we have that policy in place when it needs to be applied, and we don't need a new bill. Rather than the reiterating support for a code of conduct, Ontario students would be better served with the Ministry of Education actually delivering the long-awaited, province-wide safe school policy they undertook 18 months ago. That's what we don't have, and that's what we need. That's what I urge the public to demand of this government.

The Acting Speaker: Further debate.

Ms Marilyn Mushinski (Scarborough Centre): I'll be sharing my time this evening with the member from Cambridge. Before I address my comments to Bill 81, I have not had the opportunity to address this House since the Walkerton tragedy. I join with my colleagues in expressing my deepest sympathy and condolences to the people of Walkerton and especially to the families who have lost loved ones.

I'm very pleased to join the debate on Bill 81, which is an Act to increase respect and responsibility, to set standards for safe learning and safe teaching in schools and to amend the Teaching Profession Act. The short title of this act is the Safe Schools Act, 2000. I'm particularly pleased to stand in support of this act because the concept of the Safe Schools Act was first introduced as a private member's bill by my great colleague Dan Newman.

Before amalgamation in the city of Toronto, Scarborough had one of the best codes of behaviour in Ontario. This included a zero tolerance policy for weapons and violence offences. I can tell you from experience, as a member of Scarborough council who worked closely with the Scarborough school board to assist and co-operate in the implementation of the zero tolerance policy, that the Scarborough model worked. Instances of violence were on the decline, and students were feeling safer. I believe it's time to bring that success story to the province as a whole. The students, the parents and the teachers deserve nothing less. It's time to bring success to all kids in Ontario. I believe students have the right to feel safe and feel comfortable in their learning environment. I'm sure that is something everyone in this House believes as well.

Turning to the legislation under Bill 81, the legislation was tabled by the education minister, the Honourable Janet Ecker, and will provide for the province-wide code and related safe schools initiatives to be phased in over the next year and a half, beginning this September. The province-wide code of conduct for Ontario schools is a key step in a series of government-driven initiatives to make our schools safer, more respectful environments for learning and teaching. These measures fulfill the government's commitment to make Ontario schools safer by promoting respect, promoting responsibility and promoting civility by setting clear and consistent province-wide standards of behaviour for everyone involved in Ontario's publicly funded education system, and by mak-

ing suspensions and expulsions mandatory for serious infractions.

Students, teachers and parents want their schools to be safe, respectful environments for learning and teaching. When the rules are clear to everyone, students can concentrate on learning and teachers on teaching. Legislation was developed and introduced following wide ministry consultations with key education partners on specific operational aspects of the code.

We hear a lot of rhetoric on both the Liberal and NDP sides about participatory democracy. I think it's important to reiterate that there was wide ministry consultation with the key stakeholders, the key partners who are going to be involved in the operational aspects of this code to make our schools safer. I don't think anyone on that side of the House can argue that, based on all of the incidents we've seen across this continent, we need to be strong in our statements and our actions to bring about safe schools.

If passed, the legislation would allow the minister to issue a provincial code of conduct as policy. It would set mandatory consequences in legislation and would require school boards to develop policies and set consequences for less serious infractions, such as wearing hats and throwing snowballs.

The act will give both boards and principals the authority to expel students, and both principals and teachers the authority to suspend students. Currently, under the Education Act only principals can suspend students and only boards can expel students following an expulsion hearing. Extending this authority would help to minimize the effects of seriously disruptive or violent students in our schools.

If passed, the legislation will limit mandatory suspensions by teachers to one full school day, including all school-related activities for that day. A suspension that warrants more than a day would be referred to the school principal. It would also allow principals to continue to suspend students for up to 20 days. Suspensions lasting two to 20 days will continue to be open to review or appeal. One-day suspensions will not be open to review or appeal.

It would limit mandatory expulsions by principals from their school to not more than one year. The principal must first suspend a student, inform parents or guardians and proceed to an expulsion inquiry. A principal may refer a student to the board for an expulsion hearing and a board expulsion will apply to all schools in the board. It would set mandatory requirements for students expelled by a board to re-enter the regular school program. This could include, for example, participation in a strict discipline or equivalent program. It would give parents and guardians the right to appeal the decision of a board or a principal to expel a student. Currently there is no appeal process for expulsions.

Turning to programs for expelled and suspended students, the bill will allow for the establishment of strict discipline schooling, programs beginning this fall, to help students who've been expelled to turn their lives around

and re-enter the regular school system. It would give the minister the authority to require that all school boards have in place programs or other supports for suspended students.

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It would give a majority of parents at any school in Ontario the authority to have a dress code or require a uniform for their children. Guidelines outlining the voting process to be followed will be released by the ministry to boards this summer. It would include the singing of O Canada and may include the recitation of a pledge of citizenship to instil pride and respect. As an immigrant who has taken a citizenship pledge of allegiance, I'm particularly proud to be an immigrant and to have taken that pledge and to be a Canadian. Exemption provisions and details on the pledge of citizenship will be set out in regulation.

It would allow for the collection of personal information, such as criminal background checks, to ensure the safety of students and that everyone working in schools can be trusted. It would also require school boards and their schools to involve school councils when developing or revising their codes of conduct and safe school policies.

Speaking of participatory democracy, I recently held a community council meeting in my riding of Scarborough Centre where the topic of education was discussed. I want to assure all in this House that all of those people who were invited to attend, and it was completely open to all constituents in my riding, were strongly supportive of our new initiatives to bring about safer schools in Ontario.

I'll now turn it over to my colleague from Cambridge.

Mr Gerry Martiniuk (Cambridge): I compliment my good friend the member from Scarborough Centre for her presentation in regard to Bill 81.

I had the good fortune to be a member of the Ontario Crime Control Commission, along with my good friend Jim Brown, the former member for Scarborough West, and Bob Wood, the present member for London South. In May 1998 we issued our first report, which had been over a year in the making, on youth crime. One of the four recommendations dealt with a Safe Schools Act and, if I may, I'll take the opportunity to read the executive summary. I won't read it in total.

"The commission recommends that the government develop a Safe Schools Act as a foundation for safe and appropriate behaviour in all of Ontario's schools. This act would give teachers and administrators the tools they need to deal effectively and quickly with inappropriate acts....

"The Safe Schools Act would include a standardized policy of zero tolerance for violent or disorderly behaviour for all Ontario schools; short-term placement centres for disorderly students; school response teams to recognize, manage and resolve conflict; tough and escalating sanctions for violence, sexual assault, weapons offences and verbal abuse—from detention to placement centres to expulsion."

We came to this recommendation because we had gone to the people and travelled this province to obtain their opinions, their concerns. To date, we have visited over 70 localities in the province, in which we were able to discuss the concerns of the Ontario public. To May 1998 we had a number of consultations and we visited, starting in July 1997, Chatham; August 28, 1997, Barrie; September 8, 1997, Etobicoke; September 23, 1997, Peterborough; September 29, 1997, we had an Ottawa youth forum; September 30, 1997, we met in Whitby; January 15, 1998, in Port Colborne; January 29, 1998, in Oakville; February 17, 1998, in Hamilton; March 10, 1998, in Cambridge; March 19, 1998, in Burlington; March 26, 1998, in Bracebridge; April 2, 1998, in Newmarket; April 8, 1998, in York Mills, in the city of Toronto; April 9, 1998, in Belmont; April 14, 1998, in Toronto, in the High Park-Parkdale riding; April 15, 1998, in Hamilton again; May 5, 1998, in Toronto, in the Etobicoke-Rexdale riding; May 14, 1998, in Bramalea; and May 19, 1998, in Kitchener.

In addition to hearing from all Ontarians at all of those sites, we did receive written submissions from the Canadian Police Association; from the Ministry of Community and Social Services; from Parent Watch of Oakville; from the Canadian Centre for Justice Statistics; from the Burlington Lions Club; from CAVEAT; from the Canadian Mental Health Association, Ontario division; from Halton Women's Place; from the Ontario Association of Children's Aid Societies; from the Community Safety and Crime Prevention Council of Waterloo Region; from the EarlsCourt Child and Family Centre; from the students of Lakeshore Catholic High School, Port Colborne; HARP Security; the Family Crisis Shelter in Cambridge; the Winchester Park Residents' Association, Toronto; from the town of Gravenhurst; and from Waterloo Region Neighbourhood Watch.

Not from all of them, but a theme we heard in all of our travels, in concluding that we required a Safe Schools Act, were simply the following two matters. Number one, there was a uniform concern throughout this province—and it wasn't just centred in the city of Toronto; we heard the same sentiment throughout, including my riding of Cambridge—that both students and parents were concerned about their safety in schools in the province of Ontario. That sentiment was there, and I found it somewhat surprising in many ways, because of the uniformity across this province. We felt we must address that concern.

The second major concern we heard was simply that there was a great deal of confusion as to what was expected of our children in their schools. There was no uniformity across this province. You know, we expect our adults to behave in certain manners and we have a uniform code of conduct, called the Criminal Code, right across this great country, a code that is publicized and that everyone is aware of—if not aware of all the technical aspects of it, they definitely are aware of the broad general scope of what we, as Canadians, expect as a code of conduct across this great country.

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Yet in the province of Ontario we did not show, up to that date, the same courtesy to our children, which was somewhat of a concern. For instance, children just moving from one jurisdiction to another would be dealt with in a manner that was different from one school jurisdiction to another. So we felt, as a commission, that it was necessary to have a uniform code of conduct across the province to ensure that no child and student would be ignorant of the law, to ensure that if any penalties had to be imposed as a result of a breaking of one of these codes of conduct, the student was aware in advance—and as a country that lives under the rule of law, that is most important, that everyone be aware of what is expected of them.

On that basis, that recommendation was made. I know I can speak on behalf of my co-commissioners that we feel a great deal of satisfaction that the government accepted our recommendation, because the proposed act deals directly with what the people have been telling us they want for their schools. We have heard the concerns over and over about behaviour, about discipline, especially about safety in our schools.

The Acting Speaker: Questions or comments?

Mr Dave Levac (Brant): I have a problem: Where do I begin? I'll tell you one thing I want to start from, and that's the word "love." The members on that side have never used the word "love" once in this debate. These guys are stuck in a myopic view of what children are. The fact that children and love have never been put together by this government is so frustrating, it's very difficult for me to continue. But what I will tell you for sure, I want to tell the member opposite, you did a really good job of simply reading the bill—no debate, just read the bill and tell us how you're going to be tough on those violent children, how you're going to make those principals expel those students, how you're going to make those teachers suspend those students. Never once have I heard the members on the other side talk about kids using the word "love."

Fortunately, the teachers are able to rise above all that garbage and turn around and say, "We love our children." We're going to make sure this is going to stay put in our system, regardless of whether or not the members on the other side are capable of saying the words "love" and "children" at the same time. Unfortunately, with this myopic view, what we're hearing now is nothing but repeated, regurgitated facts that already existed in the school system since I've been involved in education, for over 21 years.

I have never ever allowed a student with a weapon to show up in my school, and if he did, he was gone. That was automatic; everybody knows that. We're not supposed to allow that to happen. Talk about the inconsistency. What they didn't realize and what they don't know is that communities work together as a full team. Each community, each school, acted as a team. Now what you've done is torn them apart and made them claw

at each other, just like you're doing with every piece of legislation you've put on the books since 1995.

Ms Martel: When we listen to the Conservatives, they would have us believe that the first person who ever talked about violence in our schools and how to deal with it was the current Minister of the Environment. I mean, where have they been? For goodness' sake, in 1994 our government required that all boards develop a code of behaviour, and school boards did do that. We released at that time, in 1994, a violence-free schools policy that had been developed after intensive consultations with 3,000 people participating in over 18 community summits, all people who were worried about violence and how to deal with it. The insinuation that somehow the current Minister of the Environment was the first one to put out something, through a private member's bill, about dealing with violence in our schools is just ridiculous. I don't know where the member's been for the last six years if she would assume that was the first time anything was done.

The second thing is that it is ridiculous to suggest that this bill has anything new in it, is some kind of new initiative or presents new ideas with respect to codes of behaviour. Goodness, school boards right across this province for years have had codes of behaviour, have had guidelines and policies in place dealing with the conduct of persons in their schools, have had policies and guidelines in place dealing with discipline of students, have had policies and guidelines in place regarding promoting the safety of pupils, guidelines and policies in place regarding access to school premises, regarding appropriate dress for students in schools, regarding reviews or appeals of decisions to suspend students or have expulsion of students. All of those things have been in schools for many, many years now. All of those things have been across boards for many, many years now. There's nothing new with what the government presents.

Maybe the government should stand here today and tell the people why they have cut so many programs that would have allowed schools and school boards to implement some of these programs. That's what the government should do.

The Acting Speaker: Thank you. The member for Brampton—for Barrie. I'm sorry, Barrie-Bradford-Simcoe, Barrie-Simcoe-Bradford. I'm sorry.

Mr Tascona: Thank you, Mr Speaker. I think I lost 10 seconds of my time there, but thank you.

I'm pleased to join in the debate. The members from Cambridge and also from Scarborough certainly put forth their views with respect to why a code of conduct is necessary from a provincial level. There were strong arguments being made by the member from Brant about local responsibility and the member from Nickel Belt about having a violence-free policy and that this isn't necessarily a new initiative.

The bottom line is that there needs to be consistency across the province, there needs to be provincial standards, and it is an issue out there. Whether they like it or not, it's an issue out there that the public wants this

government to act on. It's nice and easy for them to say, "Let's leave it at the local level, because we want it to be local at this time." But the fact of the matter is, there have been local initiatives but they're not working the way the public wants them to work.

Every student in this province requires to learn properly, and that's their right, to have a safe learning environment. The member from Brant likes to speak about love. I imagine the students are well loved by their parents, and certainly there's a certain amount of respect throughout the system with respect to parents, principals and teachers, mutual respect. That's what we're talking about here. How do we accomplish that? I think there's consensus in this room that we want a safe environment to learn, for teachers to have a safe environment in which to teach and where they're respected. That's all we're talking about here. This is a mechanism to make it happen. This government is showing provincial leadership, and that's where it should be in this issue.

Mr Jean-Marc Lalonde (Glengarry-Prescott-Russell): I just wonder why we ever tabled this bill, Bill 81. The local school boards, especially in the rural areas, already have a code of conduct. I'm looking at this one here from my own riding, the Rockland District High School. There was a code of conduct, developed with the OPP and also according to the requirements of the Minister of Education and Training, called "Violence-Free Schools Policy," which was established in 1994. Are we trying to destroy whatever is in place already?

I could tell you that at the present time, if this government were to decide to invest funding for the needs of our schools in the rural area—we have problems all over Ontario, but there's a lack of funding. We don't have the funding in place. Is the solution to suspend the student? I believe it's not. We need the funding for the special education that is needed. Even though in the budget we have said we have \$140 million in the budget of this year, \$70 million was already used in the past, and of the remaining \$70 million, we don't know where it's going to go.

The solution was not to come up with Bill 81, because a code of conduct does exist in rural schools. If the minister has problems in her own riding, she should have met with the school board there and met with the teachers. I'm sure this would have been a lot more valuable for the students of that riding.

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The Acting Speaker: Responses?

Ms Mushinski: I heard a lot of interesting responses, from the honourable member from Brant—I believe you're from Brant?

Mr Steve Peters (Elgin-Middlesex-London): Read your map.

Ms Mushinski: I've served on committee with him and I know he's a very compassionate individual and certainly does understand very much about what the interpretation of love is.

Having said that, I'm tempted to quote a couple of people who have responded to our code of conduct,

people like the gentleman who spoke in the *Kitchener-Waterloo Record*. Every parent who reads the daily news and says a little prayer for the kids in today's schools should welcome the code of conduct the Conservatives plan to make law. "A code of conduct is one reasonable measure to take in response. Most school boards already have strong policies on violence. The strength of the new code is that it would establish clarity and consistency across Canada." "This doesn't just sound like good sense. It sounds like justice." That came from the *Kitchener-Waterloo Record* on March 23.

I quote a veteran school trustee from Sudbury as having said that educators are waiting for clarification of "tough love" code of discipline. An English public board veteran trustee says, "I've had experiences with teachers who have had not only swear words but things thrown at them who try to be kind and gentle by not doing anything about it."

This is going to do something about it.

The Speaker (Hon Gary Carr): Further debate.

Mr Dwight Duncan (Windsor-St Clair): I will be sharing my time this evening with my colleague from London-Middlesex.

I propose, in the 10 minutes I have allotted to me, to respond to the bill; address it in the context of the crime commission, which was raised by the member from Cambridge; address it in the context of this government's views on justice issues; and then finally speak for a moment or two about the bill in the context of the government's education agenda.

First of all, this bill proposes a code of conduct that's already in place and has been in place since 1994 in all of our province's schools. When the government first started talking about this, I made a point of attending schools in my riding. I spent a day as a teacher in one elementary school. I spent a day as a principal in a high school, in an area frankly where there have been discipline problems, in a school where there have been significant discipline problems. I met and spent the day with the principal. I reviewed the school's policy, which by the way, in my view, is stronger than the one the government has put forward. I spoke with educators and I spoke with parents. I even attended sessions where they were disciplining a young man in the presence of one of his parents with respect to some infractions he had incurred in the school.

First of all, there are codes of conduct in place. My colleague from Sudbury has indicated that the previous government had made some very substantive moves in this whole area as far back as 1994. The government has cut funding for some very important programs. The Harris government has cut \$1.6 billion out of their portion of education funding. For example, Etobicoke schools will lose their daytime security guards next year and the Ottawa school board is reducing their staff of psychologists by half as a result of this government's cuts. So this code of conduct is a smokescreen that's designed to hide the government's cuts to education

because education simply is not as high a priority as tax cuts are for the government.

Dalton McGuinty and the Ontario Liberal Party have proposed alternatives which will be much more effective than this smokescreen. For instance, in our policy documents we outline a Liberal policy for safe school zones and safe school teams and we committed to provide the funding for those. Those zones have been put in place because all of the experts know that most crimes associated with schools don't happen in the schools themselves; they happen on the periphery of schools. The members of the government, of course, conveniently ignore this.

A real safe schools approach means that we punish violence and have a provincial plan to prevent violence in the schools. This government's cut preventative programs to the bone by not including things, as I indicate in the example of Ottawa and other communities, with respect to prevention.

I noted with some interest the comments of the member for Cambridge about what the crime commission did. Members of the public and of this House will remember that one of the crime commissioners, a former member of this House, suggested quite seriously that prostitution was a major problem at the Santa Claus parade in Toronto. I think that puts this bill in the context of this government and of those members. They were a joke across the province. The picture of the three of them in their trench coats—the only question in my riding was, did they have anything on under their trench coats? The short answer is no. They were an embarrassment to this Legislature, an embarrassment to this province, and the fact that one of those commissioners was not returned here in the last election indicates to me very clearly just how seriously they were taken by all. To suggest that crime commission did anything of any substance is an absolute joke and disgrace. Frankly, the members of the government ought to have been embarrassed by the comments of the one commissioner that prostitution is a serious problem at the Santa Claus parade.

I want to address this in the context of this government's justice policy. The government passed a Victims' Bill of Rights some months ago, and the members opposite will also know that the courts are now saying unequivocally that it isn't worth the paper it's written on. It's useless. It's meaningless. It's essentially a fraud, and that's unfortunate. I raise it in the context of this piece of legislation because essentially it's meaningless. It's nothing but a smokescreen by a bunch of people who get used to doing smokescreens, and it isn't until later that we find out in fact that the smokescreen isn't for real.

I can't help but raise this piece of legislation, the code of conduct, in the context of the bill that was raised by the member for Scarborough Centre, Mrs Mushinski, that failed to understand the fundamental principles of our justice system—the separation of the legislative and judicial branches. It is a piece of legislation that speaks volumes about what is wrong over there. That

government and those members passed, on first reading, a bill that's ostensibly designed to give more accountability to justices by a number of measures that have been spoken out against by the bar, by judges, by many members of this House, including members of the government. So this piece of legislation is nothing more than a diversionary tactic to keep people's attention away from what this government's all about.

Finally, I want to address this piece of legislation in the context of the government's broader education policy. We've had a range of legislation from this government on education starting with Bill 104, Bill 160 and, before committee today, Bill 74, and a number of other pieces of legislation, most of which stink.

This government has chosen to make teachers a scapegoat. I want to say to the people who sent me here, and I want to say it clearly and on the public record, that I believe we have the finest educators in the world in this province. I believe what this government has done to teachers is an abomination and I would stand with those teachers any day, whether in my community or anywhere in this province, over standing with that government on its education policies.

Let me be clear: Those policies have been designed to wreak havoc in our schools. In my view, we're going to be faced this fall with absolute calamity because of this government's mismanagement of our education system; their failure to include teachers in education; their failure on all counts, in my view and the view of the people who sent me here, to make sure we have properly-funded, first-rate education system. They have been a complete failure and that's a sad testament. It's a testament now of a government that is beginning to come into focus in the context of the Walkerton tragedy: Cut now, pay later.

How do we deal with meaningful legislation when this kind of nonsense is brought forward?

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Earlier today we had the opportunity to discuss Bill 68, Brian's Law. For the first time in the time I've been here there's been meaningful consultation with the public and with the opposition. I believe that at the end of the day we're going to have better legislation for it because we thought it through carefully. It's not messaging; it's not spin coming out of the Premier's office.

It's unfortunate the government has failed to take into account important issues when it comes to the question of safety in our schools. Instead, they have chosen the path of the right wing in the United States: Whip up a little fear, don't deal with it substantively and try to reap political reward as a result.

There's a better way. Dalton McGuinty and the Ontario Liberals would establish safe school zones that recognize, as I said earlier in my remarks, that most of the crime associated with schools happens outside of the school and off the school property, but within a perimeter close by the school. I know in our neck of the woods, in the schools in my riding, that's where it happens. The discipline inside—everything inside, in my view—is looked after as well as it can be and this bill will do

nothing to improve it. In fact, based on the conversations I've had with educators, it'll set back the cause.

In conclusion, this bill is a failure because it's really meaningless. In the context of the crime commission, it's absolutely laughable, as that so-called crime commission was. In the context of this government's justice policy, they don't have one. They pretend to have one but it really isn't one. The Victims' Bill of Rights has been condemned by the courts, and anybody who knows anything about legal issues will say the same thing.

Finally, in the context of education you have wreaked havoc on our schools. I will stand with the teachers and parents in this province any time before I'll stand with this government on matters of education.

Mr Peters: It's interesting that we're here speaking to Bill 81 this evening. If you look at section 304, it talks about O Canada. I started school in 1968, and from 1968 until 1982, when I graduated, O Canada was part of our daily exercises. It's part of those daily exercises that have existed in this country for many years. Now you're putting it in legislation, mandating something that every school board in this province has been doing.

We need to take Bill 81 in the context of what we've seen come from this government and the direction this government is going in with regard to education in this province, in the context of the constant attack education is under as a result of the initiatives of this government. If you look at the funding dollars—we're open for debate on this and I would gladly allow my colleague the critic for education to speak to this issue—certainly we've witnessed an unprecedented number of dollars taken out of the education system. We've seen a funding formula implemented that is so flawed, a funding formula that has got down to equating students to per-square-foot capacity in a school. It's a shame when you take a student to a square-foot figure.

The Minister of Education is constantly saying that the funding issues are the fault of school boards. She goes on to say that school boards are not spending the money effectively. That is totally false. It's the fault of the Minister of Education. It's the fault of the Harris government. Former Minister of Education John Snobelen said he would create a crisis in education. We have seen that crisis in education, and it's a real shame that we've seen they have done exactly that. Fight after fight has been picked by this government. You talk about codes of conduct. There's no code of conduct that takes into account the attitude this government takes towards education in this province. This government is unprecedented in its love for provoking people.

Quite frankly, the quality of education in this province is seriously deteriorating under this government. Just this week a People for Education report was issued. This is a report that reviewed the level of school resources. Do you know what they found? They found that within the schools they have not seen any improvement. They've seen that many areas have continued on a downward slope in education. We've seen special education waiting

lists go up; we've seen English-as-a-second-language programs go down.

Eighty-five per cent of schools in the province today have a full-time principal. That's a decrease of 10%. You talk about wanting discipline in the school. The individual who is going to do the best job of promoting discipline and a code of conduct in a school is the principal, but because of your silly funding formula we've seen principals taken out of the schools. You've got to accept responsibility for the damage you are doing. One third of school libraries are only open on a part-time basis and only 18% of the schools have a full-time librarian.

Worse, though, is that we've seen an unprecedented brain drain of teachers in this province. Good, quality teachers, who have dedicated 20 and 30 years of their lives to the teaching profession, have had enough of the baloney that's coming out in the initiatives of your government. They've walked out of the teaching profession. Who are the losers in that? The losers are the children. The real losers are the people of Ontario because those young people are our future and your government doesn't recognize that.

We've seen too this continual centralization of control and power at Queen's Park. That's a real shame. I come from the municipal level and I believe municipal governments and local governments are best because they're the governments that are closest to the people. What you've done is that you've effectively taken away the control of the directors of education and the school boards in this province and you are centralizing that control here at Queen's Park. That's a real shame because you can't continue to take this cookie-cutter approach in this province. What's best in the minds of the people here in Toronto and at Queen's Park isn't necessarily the best for the rest of the province. That attitude is going to have a detrimental effect on education in this province.

You've got tunnel vision, and with your blinders on you can't look at the full picture, at the cumulative effects of the damage you are doing to our education system, the constant attacks on school board administration, trustees, teachers and parents. Who are the losers in all this? It's the children. The children in this province are losing out, and that's a real shame. Unfortunately you don't recognize that, as a government, and that's going to really hurt us in the long run.

You talk in Bill 81 about school codes of conduct. Everything that's in this flimsy piece of legislation already is in place. These codes of conduct have been in place in schools since 1994, codes of conduct that have effectively governed the way students have acted in schools and that have given direction to principals, teachers and school board administrations on how to deal with those individuals who are problem students.

The former principal from Brant relayed a fact to me, that 79% of the parents previously surveyed supported the initiatives that were taken at the local level, initiatives that were doing the right thing for students, but now for some reason you think you've got to legislate this on a

province-wide basis with legislation that is really unneeded and unwarranted, because those initiatives have already taken place within the school boards themselves.

We talk about codes of conduct. I had the opportunity to look at a copy of a code of conduct that was sent home by St David Roman Catholic school in Dorchester from the London and Middlesex County Roman Catholic Separate School Board. It's interesting that this code of conduct talks about, "All school members shall treat others equally and fairly, regardless of age, sex, gender, religion, ethnic origin, sexual orientation or disability."

When is this government going to lead by example? When is this government going to ensure that barriers no longer exist in our schools, barriers like they have in Peterborough county, which I read about today, where two young students can't have access to their cafeteria because they're in wheelchairs and the cafeteria's in the basement of the school? When is this government going to act and remove those barriers from schools so that every student gets equal treatment in a school?

Look at the code of conduct that does not exist among the cabinet members of this government, at the disrespect they have and the heckling they do. Individuals who should be leading by example are not leading by example. How can you implement a code of conduct when you can't conduct yourself in a proper way in this Legislature?

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I talked about the barriers that exist in education. When are the ministers responsible for education and for disabilities issues going to get their act together and enforce the Eldridge decision, which would allow American Sign Language interpretation services to be available to all students? We talk about treating people equally in this province. This government is not leading by example when it comes to persons with disabilities; in particular, the most vulnerable persons with disabilities, the children. We want to see children have the best of everything and be treated equally. This government doesn't lead by any example when it comes to children in this province.

You talk about trying to instill respect with this code of conduct. Here we are, unfortunately, coming up on the fifth anniversary of the government. We look back one year ago to June 3. You talk about respect. Why don't some of you take a look at those pre-election commercials you were putting out, and those attacks you put out on the teaching profession? How is that supposed to instill respect among the students of this province? That did nothing but drive the wedge in further between teachers, students, parents, administration and school board directors. That's a real shame.

I want to close with this comment: Respect is earned, nurtured and cultured by a healthy learning environment and a good working relationship between students and their teachers, not by demoralizing staff, not by underfunding programs and not by publicly slamming the teachers of this province. Bill 81 is a very much unneeded piece of legislation. What's contained in this legislation exists already in the codes of conduct for schools.

The Speaker: Questions and comments?

Ms Martel: In response to the two speakers from the Liberal caucus, let me say the following: I think it's worth reinforcing again that six years ago, in 1994, the NDP government of the day required that all school boards in the province have codes of behaviour for their schools. At the time we would have acknowledged that many school boards and many schools already had that in place. It has been mandatory to have that across school boards and schools in this province over the last six years.

Why are we here tonight dealing with Bill 81, pretending that somehow this bill provides something new when it doesn't? That has been made clear by members of the opposition tonight. It has everything to do with the cuts the government has made to education in the last five years and the cuts it's making to education again this year in its estimates.

It's no secret that over the last five years the government has cut over \$1 billion from the education budget in this province. That has resulted in cuts to custodians, teachers, libraries, arts programs, music programs, guidance counsellors, cuts to a whole range of staff and support staff who make our schools safe, who ensure our schools are clean, who provide necessary supports to students, especially those students who have behavioural problems.

If you look in the estimates for this year, the government is making a cut in the education budget again. The estimates for 2000-01 show a cut to the Ministry of Education budget from the estimates for 1999-2000. Again this year schools will experience yet another cut to the education budget.

We should be here tonight talking about how those cuts have undermined the ability of school boards, teachers and principals to actually make their schools safe or to deal with children who have behavioural problems. When you cut psychologists and speech and language pathologists for our schools, when you cut guidance counsellors and social workers, you do nothing to deal with those students who are exhibiting behavioural problems, who are causing trouble in the schoolyard and in the class. By expelling them and saying they can't go to school any more in Ontario, we don't deal with these problems. The government should be here tonight trying to defend the cuts they have made, which are undermining safety in our schools.

Mr Marcel Beaubien (Lambton-Kent-Middlesex): It is a pleasure to make some comments with regard to some of the rhetoric the opposition has put on the floor tonight. First of all, I would like to address the comments from the member for Brant. He talked about love. Let me tell you that there is as much love, if not more love, on this side of the House as there is on that side of the House. I think love means many things to many people. I don't know how the member for Brant can start talking about love when we're talking about Bill 81.

With regard to the comments of the member for Elgin-Middlesex-London, I recall a number of years ago when

he was the mayor of a nice little community in south-western Ontario. The mayor used to complain about the high education tax levy on the municipal tax bill. I'm sure, for the member for Kingston and the Islands, we had the same comment. Consequently municipalities kept saying, "We have to bring the cost of education under control." This government had the intestinal fortitude to address the issue. It was not easy, but at least we did it.

Now we're complaining about the funding formula. I would ask the member for Elgin-Middlesex-London this: What is it you want? What is it you're looking for? What has the funding formula got to do with Bill 81? It has absolutely nothing to do with Bill 81. Bill 81 is legislation that gives clear, concise authority to deal with problems in the schools. Parents, whether you like it or not, are very supportive of Bill 81 because we are committed to providing quality, responsible, accountable education in the school system in Ontario. I know that for some members of the opposition that is not very palatable, but the reality is that is what Ontarians are looking for and that is what they're getting.

Mr John Gerretsen (Kingston and the Islands): The reality is that your government has cut \$1.6 billion out of the education budget. Walk into almost any school, certainly in my riding and I dare say in the province of Ontario, and you will find larger class sizes, fewer teaching assistants, fewer textbooks. You will find more overburdened staff. That is the reality of the situation.

The comments with respect to love, with all due respect, were intended to convey the message that if there's one thing we have not heard from your government and from your minister at all, it is a comment about respect for teachers. I find it very interesting that I had the opportunity over the past six months to go into about six or seven schools and speak to lots of teachers. I was there on teacher day, on principal-for-a-day day and on various other occasions as well.

I can't think of one teacher who had anything good to say about this government's initiatives. Generally speaking, they are totally demoralized. They are burned out, to a large extent. They feel that whenever the government needs a scapegoat for something or needs a group to beat up on, it is the teachers who are constantly getting it.

What we're saying on this side of the House is, try to build up that respect that all of us should have for the teachers, because they are, after all, the ones who deal with our children on a day-to-day basis, almost as much as their parents in the non-sleeping hours, as it were. It seems to me that you get a heck of a lot further by showing some respect and working together with teachers than by constantly attacking them.

Mr John O'Toole (Durham): It's my pleasure to comment on Bill 81. The Safe Schools Act is something that the minister clearly has announced several times is to try and find some balance in the school system. It really comes down to two words: "respect" and "dignity."

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One of the principals in my riding of Durham was part of forming a public meeting on the issue of having

balanced respect between students, parents and teachers. I give him a lot of credit. He had a school community council. One of the students there, Greg Kunderman, represented that part of it, and the parents, teachers and the principal. They came down to a couple of things. The important thing was that respect starts, I suspect, by those in authority. What the government is trying to say is that the highest order would be having some area where we can agree on things like the national anthem. I'm pleased that in this proposed piece the pledge thing is optional. Some of them will opt for that, to pay respect to the oath. As you know, Mr Speaker, the citizenship oath is what is referred to there.

Clearly we should have pride in the common things; for instance, our national anthem and our country. My son is in the armed forces and fights for our country, and I know it means a lot to him. There are a lot of things we agree on, and it's that, if you will, old order that we're looking for; it's respect for one another. This is a start in saying that our schools are a place of respect for one another. It certainly sends a message, and it's the duty of those in leadership to do just that.

The Speaker: Response?

Mr Peters: On behalf of my colleague from Windsor-St Clair, I'd like to thank the members for Nickel Belt, Lambton-Kent-Middlesex, Kingston and the Islands and Durham for their comments. In particular the comments by the members for Kingston and the Islands and Nickel Belt pointed out very clearly the serious and detrimental effects that the funding cuts have had in this province.

It really blows me away to listen to the member from Lambton-Kent-Middlesex. Talk about rhetoric coming out of my mouth. I don't know how the member from Lambton-Kent-Middlesex can stand up in this Legislature and defend a funding formula that's causing—how many schools are closing in your riding? The London Catholic school board needs a new school built in Strathroy, but the funding formula is not adequate to see that new school built. I can't believe how that member can try and defend the funding formula of this province.

It's interesting that the member for Durham wasn't even here to listen to the comments. I give him credit that he can jump up and spout off the party rhetoric and the party baloney. But as to the approach this government is taking of not allowing local school boards to make these decisions, of coming in with the sledgehammer, how is the sledgehammer supposed to impose respect and dignity on people in this province?

As I said, I started school in 1968 and O Canada was part of the school system then and it still is today. I graduated in 1982, and graduated from the University of Western Ontario following that. I'd like to know how you're going to enforce O Canada. The O Canada police? Boy, oh, boy, that's going to be a great one, to see how that's going to be imposed in the school—the O Canada police.

The Speaker: Further debate.

Mr Ted Arnott (Waterloo-Wellington): I'm very pleased to be in the House tonight to speak to Bill 81, the

schools bill, and to share my time with my good friend the member for Scarborough East, who will be speaking after me. I'm sure he'll give an outstanding and articulate speech, as he always does.

Respect and responsibility are important parts of ensuring that schools in our publicly funded education system are safe. With the introduction of the proposed Safe Schools Act, our government is taking the steps necessary to ensure that Ontario's school system is the safest and best it can possibly be.

If approved by the Ontario Legislature, Bill 81 will not only give authority to the provincial code of conduct released in April; it will also allow the government to proceed with a number of other initiatives that will promote respect, responsibility and civility in our classrooms.

I am certain that students, teachers, staff, parents and every member of this Legislature, regardless of where they live in Ontario, all agree that a safe school environment contributes to positive student learning and a quality education.

The proposed amendments directly address what people have been telling us they want in their schools. The government has heard the concerns over and over again about behaviour, about discipline, and especially about safety in our schools. If recent public opinion polls are accurate, and I would submit that in all likelihood they are, the vast majority of Ontarians are united on this issue and would support the passage of this bill. For that reason, I am perplexed by the attitude and the comments by some of the opposition members on this issue.

I remind the members of the opposition that this bill is in response to our Blueprint, our election platform that was released a year ago, in 1999. We committed in the Blueprint document to bring in a code of conduct. I remind the members opposite that we said: "We'll introduce a province-wide code of conduct for students that will set clear minimum standards for behaviour, and spell out the consequences for breaking the rules. This will mean all students will know what is expected of them, what is not acceptable, and what will happen if they cross the line."

I recall a year ago, when we were going around knocking on doors and engaging in our election campaign, that this was an issue that many voters in my constituency were very supportive of. It's a year later and we're bringing in the legislation. We certainly have a mandate to bring in legislation of this type.

The code of conduct that this bill would give force to, if it's passed by the Legislature, will provide everyone involved in publicly funded schools with a set of clear expectations for their behaviour. The code also clearly sets out mandatory consequences for students who commit serious infractions.

The code of conduct makes everyone's rights and responsibilities abundantly clear. Whether you are a student, a parent, a teacher, a principal, a school board or a community member, you will understand what your role is in the education system. When the rules are clear to everyone, students can concentrate on learning and teach-

ers can concentrate on teaching, which is of course what they do best.

Schools in Ontario are currently required to have their own codes of conduct, but there are many inconsistencies across the province and these codes do not always work as well as they could or perhaps should.

This bill, if passed, will ensure that there are clear province-wide standards, especially for the most serious infractions. We are hopeful that school boards will support our efforts to create a safer school environment through the passage of this bill. In addition to the province-wide code of conduct, boards will continue to establish their own procedures and set consequences for less serious infractions.

The code of conduct reinforces the principles outlined in the Ontario Charter of Education Rights and Responsibilities. The charter states: "Every student has the right to a safe learning environment; students have the responsibility to respect themselves and others within the education system; and teachers have the right to be able to maintain order in their classrooms." Certainly, most teachers would want that to be the case.

The code would make an expulsion hearing automatic for students who bring weapons on to school property, for example; provide drugs or alcohol to other students; commit physical or sexual assault or robbery; use or threaten serious harm with a weapon. Suspension would be the minimum penalty for possessing illegal drugs or alcohol, threatening or swearing at a teacher, vandalism and uttering threats to harm.

This legislation, if passed, clearly recognizes the role of parents, guardians and community members by ensuring that school councils will be involved when a school board is developing its own code of conduct and safe school policy.

People have told us they want classrooms that are conducive to a respectful learning environment and schools that promote responsibility on the part of our students. To accomplish this, teachers need to have the authority to take action in their own classroom, and principals need authority within their schools. If approved, Bill 81 will give teachers the authority to suspend students for one school day. Principals will continue to be able to suspend students, as is now the case, for up to 20 days. In addition, principals would be given the authority to expel students from their school for up to one school year, or they may continue to refer students for a board expulsion.

Every use of authority must be balanced with the appropriate due process. That is why the government has built in checks and balances in the form of due process. If passed, Bill 81 would give parents or guardians the right to appeal an expulsion by a school board or principal and a suspension by a principal.

Our consultations over the past two years tell us that people not only want consistent standards, respect and responsibility in the classroom; they also want supports for students who have been expelled or suspended. Sending

these kids out on to the streets only puts the problem somewhere else and creates other social problems.

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That's why Bill 81 also sets mandatory requirements for students who have been expelled to attend strict-discipline or equivalent programs in order to re-enter the regular school system. Most expelled students want to continue their education. By making a strict-discipline program or equivalent a condition of re-entry into the regular school system, we are providing the structured approach needed to help these young people turn their lives around.

We recognize that teachers can't teach and students can't learn if they fear for their safety. In too many classrooms across the province this is currently the case.

Amendments in Bill 81 would allow for such things as criminal background checks of anyone working in a school to ensure better safety of students, staff and volunteers.

Bill 81 would allow the government the authority to issue guidelines to school boards which would allow a majority of parents at any school in Ontario to have a dress code or require a uniform for their children. Many parents, students and teachers believe a school dress code or a uniform is a good way to encourage respect and responsibility and that it contributes to a safe school environment, and I agree with this.

To instill pride and respect, the proposed amendments would also require schools to include the singing of O Canada as part of their daily opening or closing exercises. Schools may also, at the discretion of their school councils, include the daily recitation of a pledge of citizenship, but this will be an optional thing.

The amendments in Bill 81 will build on previous reforms that we have made to ensure that Ontario's schools deliver the best education possible for all students.

Since 1995, our education reform agenda has aimed at ensuring that Ontario students have access to the best quality education possible. The key elements of education reform have been fair, student-focused funding; more resources in our classrooms; a new, rigorous curriculum; standard tests to show how students are doing; and standard report cards that parents can understand.

In conclusion, I want to say that we want our students to strive for excellence. We owe them nothing less than our best efforts to ensure their schools are respectful places that inspire and challenge them without any fear for their safety.

Mr Steve Gilchrist (Scarborough East): It's my privilege to rise and speak in support of the bill and to add a few comments to those that have already been offered.

I'm intrigued, as we listen to the debate—I guess not surprised, given the last five years and how often we have seen, in the course of what should be debate on the bill that is before us, the opposition ranging off on to any number of tangents. They want to talk about funding models, they want to talk about education cuts and school

closings and any number of other issues. The fact of the matter is that none of those things has anything to do with the bill that is before the House today. More than that, they're patently untrue. But we'll leave that for another discussion.

I was feeling very old when the member for Elgin-Middlesex-London suggested that some of the things in this act were unprecedented, were utterly unbelievable and unacceptable. Well, I say to the member, I started school in Ontario when it was still very much the practice to not only sing O Canada but God Save the Queen. It was mandatory, and it was mandatory in every school and every school board in Ontario.

I'm struck, as we go through this bill clause by clause, section by section, that there seems to be absolutely nothing that any parent in my riding has ever come and expressed concern about; in fact just the opposite. I recall when I was still in business, just two blocks away from Cedarbrae Collegiate. It was during the time of a previous government that shall remain nameless. But matters had gotten so bad at Cedarbrae and a number of other schools in Scarborough that the school board assigned full-time police officers to patrol the halls. There had been far too many assaults, far too many knifings, far too many demonstrations of clearly unacceptable behaviour, and so the school board, perhaps belatedly, but to their credit, finally brought in the police. Day after day Metro police walked the halls of Cedarbrae Collegiate, and that went on for months and months. One by one culprits were identified. One by one Scarborough expelled the students who were the worst troublemakers. Finally, Scarborough saw that Cedarbrae and the other schools had turned around to the point where they didn't need the police officers.

But for someone to suggest here that that was an acceptable status quo, that it was not appropriate for the school board to step in and institute a code of conduct, is utterly unacceptable to every parent in my riding, and it's unacceptable to the students who are responsible, who go to those schools to get an education so that they can go out into the workforce and thrive. The fact of the matter is that we're talking about a very small percentage of students who would ever set foot in class who would be affected by a bill like this. But that just demonstrates the importance of passing this bill. It is incredible that the members opposite would allow the other 99-point-something per cent to have their education prejudiced at the hands of those who would disrupt class or display other antisocial behaviour.

It goes far beyond just vandalism. It came to the point that students felt threatened going to school. Many changed to private schools. Others switched to the separate school board system, thinking that might offer greater protection, and because they wore uniforms and because they had a different and stronger code of conduct, it probably was not an inappropriate decision for parents and students to make. We would like to think that every school in Ontario deserves the same protection. But it shouldn't be up to the whim of school board trustees or

the whim of the individuals in any one community to make a distinction and to say that their students do or do not have the privilege of a safe day in school.

Let's just go through the key elements of this bill. We get two-minute responses from four individuals after everyone presents, and I'd really like to know which of the following clauses the opposition members disagree with. When someone misbehaves in class, the bill would give teachers the authority to suspend a student for a day. You've committed some antisocial behaviour, you've disrupted the class. You haven't assaulted someone. It isn't extraordinarily serious, but it's serious enough for the teacher to take exception and to recognize that his or her work is being impeded, and the teacher would have the authority to send a very strong message to that student that that behaviour is unacceptable and suspend them for a day.

For the more serious issues, for cases of assault, for cases of students caught carrying weapons in school, principals would have the authority to expel students from the school for up to one school year. Tell me, stand here and tell the people of Ontario that you think there should be no consequence for walking into a high school with a weapon; that you think no principal should have the ability, for the other 1,200 or 1,500 or 1,800 students, to say to that student who has committed that offence, "You are out, and you're out into a more disciplined environment, where we're either going to drill into you the rights and the wrongs or you're going to continue outside of the school board," if in fact they were to repeat the offence in a subsequent year. That still allows parents and guardians all of the remedies available under law to seek a review of any suspension or expulsion.

Mandatory requirements for students who have been expelled to attend strict-discipline or equivalent programs: Again, to Scarborough's credit, when they cracked down on the schools that were the most troublesome, at the same time they implemented a strict-discipline alternative. It did not mean that students, when kicked out of high schools, were simply allowed to roam the streets or go to video arcades or go skateboarding. It meant that they had to go into an environment where they were impressed with the fact that there was no free lunch, there was no easy ride; in fact it became far tougher for them than it would have been if they had behaved and stayed in the normal school environment. We are not letting any student off the hook. We are not going to avoid our responsibility to make sure that every student in Ontario has an equal opportunity to get an education, even those who misbehave and demonstrate antisocial behaviours.

So every school board has a role to play in this. We've heard far too often in this chamber that somehow we're micromanaging the education system from Queen's Park. Again, this bill makes it very clear that it will be up to the school boards alone to determine the specific remedies, the specific methodology with which these problem students will be dealt.

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It's going to allow the majority of parents in any school to decide on a dress code or a uniform for their children. We've heard on far too many occasions from the other side that we're a government that pays less than full fealty to the principles of democracy. We've been told that far too many times and yet once again in a statute we're bringing forward, which they oppose, we propose to let the parents of the students in any school be the sole arbiters of whether or not a uniform or any kind of dress code would help the environment in that school, would improve the environment, would make it more conducive for education and might cut the costs for parents who are having to pay the outrageous prices for certain brands. I won't name the brands here, but we all know the popular runners and the popular ski jackets. There's a lot of peer pressure in school, and one of the most compelling arguments in those schools that have moved to a dress code is that the richest and the poorest student look exactly the same. It eliminates that peer pressure, and for a vast segment of our society it removes a pressure to spend on frivolous and unnecessary articles of clothing money that I'm sure they can put to better use.

This bill would allow criminal background checks of anyone working in a school and give principals authority to deny access to anyone who poses a threat to school safety. Again, if they can stay on topic in their response, I want to know which member on the other side disagrees with that section? Which member opposite wants a convicted pedophile to be a teacher in a school or to be a janitor or to have access to anything? Which member opposite disagrees on the necessity of a criminal background check for anyone having day-to-day exposure to students? Obviously, if someone is found to have committed any kind of act that could be seen as prejudicial to the safety of students, they wouldn't be considered appropriate employees for the school.

The last section would require, in the closing exercises of schools, to go back to the system we had for decades: the singing of the national anthem, O Canada. Much has been said about the citizenship oath, but I would draw to the attention of members opposite that it is still an option under the act to sing God Save the Queen. So again, the parent councils, the parents in that school community would be in a position to decide, in addition to O Canada, that it builds character and promotes good citizenship either to recite the oath or perhaps to sing God Save the Queen, if that was their collective wish. Again, what member opposite believes that offering that democratic opportunity to the parents in each school is inappropriate or unwarranted?

I reflect back to those years when, despite all the best efforts of the principals and teachers at schools like Cedarbrae—and I knew them all, or certainly most if not all of them, and had many opportunities to deal with them at the store but also sponsoring scholarships at the school and going over and giving lectures on business to some of the classes there. I know they were pained that

there was no power to enforce the kind of good conduct we're talking about and trying to promote with this bill. They were hamstrung by a system that forced them to resort to calling in the police as the only remedy before them. That's not appropriate. We don't want the image of police officers walking down the halls of our schools. We believe we can trust the principals and the teachers. They will apply good judgment, as they do in so many other areas, to the sort of discipline that needs to be in place to guarantee that every student in the province has access to a quality, safe education.

The Speaker: Questions and comments?

Mr Gerretsen: Let me first of all say to the last member who spoke that there isn't a person here who would suggest that a pedophile be allowed to teach in school or that a student be allowed to carry on a criminal activity. Nobody is suggesting that. By your own admission, the problems at Cedarbrae, if I understood you correctly, were dealt with by the school board.

What we're simply saying on this side is that school boards already have a lot of the powers you're talking about in this bill. What we have seen with this legislation and with other legislation is that these pieces of so-called tough legislation are just used, in effect, to hide what's really happening, and that, sir, is where the \$1.6 billion you've taken out of the education budget of this province is hurting our children.

It's very easy to get up and say, "For the students that they're having a tough time with in school, the school boards should set up discipline programs." Where is the funding for that? The problem is that with everything you're trying to do, you're trying to micromanage the entire system. All the powers are already there. You don't need this act; you don't need any of it at all. Yet somehow you're trying to make people believe that this will make schools better. In our opinion what will make schools better is a much better relationship between teacher, parent, pupil and government, and on your side of that equation, you have certainly let the teachers, the parents and the students down. That's the real problem.

Ms Martel: It's a real joke that the Conservative members would come here tonight and try to pretend there's something new in this bill that isn't already in place in schools and school boards across the province. Many schools, many school boards had codes of behaviour instituted right across their systems before 1994. But in 1994, six years ago, that became mandatory. So we are speaking here tonight about policies, rules and systems that have been in place at least since 1994 and probably long before that in many schools and many school boards. There's nothing new in Bill 81 that changes what has gone on, that changes the policies around code of conduct and code of behaviour that have been in place in a mandatory way since 1994.

Secondly, with all due respect to the member for Waterloo-Wellington, it is really simplistic to suggest that if you sing O Canada or you have school uniforms or you have a pledge of citizenship, somehow that's going to result in respectability, responsibility and civility in the

class. I wish that were so, but let's not be so simplistic as to assume that some of those measures are going to do something about students who have behavioural problems in the class.

Thirdly, I think it would be common across any school and school board right now that a student would be suspended if they carried a weapon on to school property, if they sexually assaulted another student, if they physically assaulted another student, if they tried to traffic in drugs or alcohol, if they committed a robbery—all those things that the member for Scarborough East asked if are we opposed to. Give me a break. Right now principals would suspend a student in two seconds flat if they did any of those things. So again, to try to pretend that this bill does something new around that is really ridiculous.

You guys should come here tonight and defend your cuts, because your cuts to speech pathologists, special ed and all those other things are what's really undermining school safety.

Mr Tascona: I'm pleased to join in the debate. The members for Scarborough East and Waterloo-Wellington have certainly addressed the bill and its merits. It's not something new, but there's an important area I want to address that I think there's consensus on around here: concern about crimes that occur just outside the school. There is concern out there, and I think it's shared by everybody. I just want to deal with that.

On September 1, 1998, this government proclaimed An Act to promote public safety through the creation of community safety zones. Bill 26, the Highway Traffic Amendment Act (Community Safety Zones), allowed municipalities to designate through a bylaw portions of roadways where public safety was of concern. In these zones near schools and playgrounds, moving offences such as speeding and careless driving can be subject to increased fines that under provincial jurisdiction. Possession of illegal drugs and/or weapons are Criminal Code offences, and the sentencing provisions are under the jurisdiction of the federal government. Establishing a new provincial offence in addition to sentencing under the Criminal Code would obviously be legally problematic and subject to Charter challenges.

But we're addressing safe schools, in terms of the Safe Schools Act, which would require school boards to establish policies and guidelines governing codes of conduct and safe school policies in schools, with the involvement of school councils. It also requires school boards to review their policies and guidelines re codes of conduct and safe schools. When doing so, they must seek the views of students, teachers, staff, volunteers working in schools, parents and guardians, school councils and the public. It requires the principal of the school to involve school councils when developing or revising school codes of conduct and the school's safety policies. So certainly there is a framework in place in terms of a team approach to dealing with this issue.

The government has also made a commitment to develop a provincial protocol that will provide a framework for how police and school staff respond to incidents at

school. This protocol, a collaboration between the ministries of the Solicitor General and Education, will be developed in consultation with police services boards, school boards, principals and the special education community.

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Mr Mario Sergio (York West): I have a brief two-minute comment on Bill 81, which I would call another of those useless bills that the government keeps introducing under the false pretense of trying to do something. If there is one bill among the many they have introduced that has nothing clear, nothing consistent and nothing concise, this is the one.

They should be telling the public, the parents, the trustees, the school councils, the principals and the teachers how they are going to deliver good education or good teaching for kids, or how to impart some of the rules they have introduced with this bill. The bill, as it is now, and I think the members of the government side realize this though they don't want to admit it, is full of euphoria but it's very short on details.

Let me read from one of the paragraphs they don't want to address for a particular reason. What they say is that the principals "may," but when it suits the government, when it suits the minister, they say, "must." If we want to give them specifics, then put in the bill itself what we expect from the principal, the teachers, the parents and those school councils. Let's not leave the door open for decisions they can make behind closed doors and then come out any time they want and say, "This is what we want you to do."

I don't think this is teaching a good way or is protecting the teachers or students or the way education has been conducted in Ontario. I think the government's still got a lot to do with this bill.

The Speaker: Response?

Mr Gilchrist: I certainly appreciate the comments from the members for Kingston and the Island, Nickel Belt, Barrie-Simcoe-Bradford, and York West.

It will make interesting reading, for anyone wanting to review the Hansard from tonight, comparing it against the vote because we've heard from the three opposition members that there's no point in passing this bill because everything in it is already being done. If I'm to follow them, they will be voting against the status quo. You will disagree with it even if it is the practice, codifying it, making it clear to all the school boards, giving some specificity to what is currently a situation that is pretty nebulous out there and certainly fraught with the ability for individual boards to make up their own rules.

Both parties stand there and say: "We agree with protecting students. We agree with criminal background checks. We even agree with things that will promote good citizenship. But we're going to vote against the bill because that's the label we wear as the opposition. The merits of a piece of legislation don't matter. It doesn't matter if it actually benefits students or makes it simpler, more efficient and more effective for the school boards, for the principals and the teachers. Like sheep, we are

going to slavishly follow our House leaders and we will vote against this bill."

That's what will occur when this bill comes back for third reading, you can bet your bottom dollar. They can pull all the rhetoric out of the air that they want, but the reality is that they will be voting against the very protections they say are in place all across Ontario.

I'm here to tell them that all school boards are not similarly equipped to provide that safe education. This bill is important. It gives co-ordination. It guarantees that every student has access to a safe and quality education in the province of Ontario.

M. Lalonde: Je dois dire, au sujet du projet de loi 81, que c'est regrettable que l'on doit débattre un tel projet ici même à cette assemblée. Je crois que c'est une perte de temps ; nous aurions pu concentrer notre temps sur d'autres projets qui étaient plus urgents que celui-ci que nous débattons ce soir.

La raison pour laquelle je dis que c'est une perte de temps est que ce projet de loi-là, le contenu du projet, apparaît déjà dans d'autres projets de loi qui ont été déposés, soit dans le projet de loi 55, qui est la responsabilité parentale, soit dans le projet de loi 74, que nous débattons encore à la chambre.

Mais on aurait dû investir d'avantage dans l'avenir de notre jeunesse. Je dois dire qu'actuellement le code de conduite existe déjà dans nos écoles. Peut-être qu'il n'existe pas dans les secteurs urbains, mais je dois dire que dans le secteur rural il existe depuis 1994 sur demande du gouvernement du temps. Ce projet de loi que nous débattons ce soir va non seulement détruire ce que nous avons déjà en place, mais il va mettre en doute ce que le gouvernement a passé dans le passé, va mettre en doute les conseils scolaires, les conseils d'étudiants, la sûreté provinciale de l'Ontario et les communautés où sont situées nos écoles, tous ceux qui ont pris le temps de passer des heures et des heures pour définir le code de conduite pour ces écoles rurales.

Je regarde ici le code de conduite de l'école secondaire L'Escale. Il se lit comme suit : « Ce code de conduite a été développé en consultation avec les élèves, les parents et le personnel enseignant afin de préciser les attentes face au comportement des élèves et identifier les conséquences appliquées de la loi de l'éducation. Le savoir-vivre et la sécurité sont les raisons d'être de toutes les façons à faire à l'escale. »

Lorsque je regarde le code de conduite que j'ai avec moi de deux écoles, j'aurais pu dire encore que nous aurions dû investir ailleurs. Je regarde ici un document que j'ai reçu de la part d'une M^{me} Marguerite Tessier. Son fils, Benjamin Tessier, est de l'école Pleasant Corners à Vankleek Hill. Elle me disait que son enfant de 12 ans avait beaucoup de difficultés d'apprentissage, mais que le conseil scolaire n'avait pas les argent nécessaires pour transporter son enfant à Ottawa, qui était la place le plus près.

Ensuite, j'ai ici un document assez volumineux qui demande—encore une fois le manque de financement—le financement que nos conseils scolaires dans les régions

ont dans le moment. Nous avons un gros problème dans le secteur rural, surtout dans le domaine de la dyslexie. Nous avons de plus en plus de jeunes qui ont de la difficulté à lire ; c'est un problème de vision qui est très difficile à améliorer. Mais c'est seulement des écoles privées que nous pouvons fréquenter, et cela coûte au-delà de 10 000 \$ par année. Le gouvernement n'a pas les argents nécessaires pour venir en aide aux conseils scolaires.

Je vais continuer avec le code de conduite, mais encore là, avant d'y aller, si nous n'aurions pas procédé avec des coupures de 1,6 \$ milliards, peut-être qu'on aurait les argents nécessaires pour venir en aide de ces enfants-là qui sont en difficulté.

Je réfère au projet de loi 74 : Lorsqu'on dit que dans le projet de loi, loi mise en vigueur pour dissimuler la réduction en salles de classe, nous parlons de réduire le nombre d'élèves en moyenne de 21 aux écoles secondaires et de 24 dans les écoles élémentaires. Mais est-ce la façon de laquelle nous voulons procéder dans le moment, en expulsant des étudiants ou des élèves des écoles pour en réduire le nombre ? Je ne crois pas que ce soit la façon idéale. Ces jeunes-là que nous devons actuellement faire procéder à l'expulsion sont des jeunes qui demandent de l'aide.

On doit investir dans l'avenir. Je peux vous donner un exemple. J'avais un programme à un certain temps, sur la rivière Outaouais, du nettoyage de la rivière. Nous avons embauché 12 jeunes, qui étaient des jeunes délinquants, qui étaient en difficulté. Puis mon contremaître a congédié une de ces personnes-là, la laissant aller. Je l'ai appelé dans mon bureau et je lui ai demandé ce qui était survenu. Il m'a raconté l'histoire. Le jeune, depuis l'âge de 12 ans, était mis sur la rue, mis à la porte par ses parents. Donc les jeunes d'aujourd'hui à l'école, si nous en avons discuté, c'est parce qu'ils ont vraiment besoin de l'aide. Le financement gouvernemental n'est pas là pour venir en aide de ceux et celles qui ont besoin de ce financement.

Je vais donner la chance à ma collègue d'Ottawa-Vanier de continuer avec le « pourquoi nous sommes contre ce projet de loi 81 ».

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Mrs Claudette Boyer (Ottawa-Vanier): It's with pleasure that I rise tonight to share my concern regarding Bill 81, the Safe Schools Act. Unfortunately, once again this government has missed the mark when it comes to our children's education.

Il semble que ce gouvernement n'est pas assez maître dans l'art de donner des coups d'épée dans l'eau. Sa décision d'imposer un code de conduite provincial en est une preuve. Encore une fois, ce sont des mesures qui créent l'illusion que le gouvernement agira dans l'intérêt des élèves alors qu'elles ne font rien pour régler les véritables problèmes.

Serious problems require serious solutions. This government is wasting its time if it thinks that this going to convince Ontarians that this bill will make our schools safer. It will do nothing of the sort.

Les Ontariens et Ontariennes savent déjà depuis 1994 que des codes de conduite sont déjà en vigueur dans nos écoles à travers la province. Nos étudiants et nos étudiantes savent déjà que les infractions sérieuses engendreront des punitions convenables.

Believe me, this legislation adds nothing new. All schools are already required to have a code of conduct and safe school policies, and that code of conduct does not stay in the principal's office. This code of conduct is sent to parents for them to read and to sign and to acknowledge what is in the code of conduct.

What is most disturbing about this "tough on crime, tough on kids" agenda is that it is nothing more than mere smoke-and-mirror legislation. It offers nothing in terms of counselling for troubled youth, improving education, diminishing class sizes, more teachers, better infrastructure, and the list goes on. Instead, this government is content to introduce Bill 81, hoping it will divert attention from the results of its \$1.6 billion in education spending cuts. This government cannot have it both ways. If it wants our students, on the one hand, to grow in a safe learning environment, it cannot, on the other hand, cut funding to the very programs which provide for this type of environment.

Ce gouvernement essaie de nous convaincre que c'est en punissant nos élèves qu'ils et elles deviendront de meilleurs citoyens, de meilleures citoyennes. Ce n'est pas le cas. Les élèves ayant de sérieux problèmes de comportement ont plutôt besoin de programmes spéciaux et de l'appui de spécialistes—des ressources qui disparaissent, malheureusement, à cause des compressions budgétaires de gouvernement Harris.

J'ai aussi de fortes réticences face au pouvoir accru qui permettrait aux enseignants et aux enseignantes de suspendre un élève car cette mesure rend le personnel enseignant très vulnérable à des poursuites de toutes sortes.

Let me tell you, teachers in my riding have told me that they don't want the power to suspend and principals don't want the power to expel. In putting forth Bill 81, this government is abdicating its responsibilities to the students of Ontario. Discipline in our schools is necessary but we cannot be satisfied that it is enough. A safe learning environment requires more than scaring our students into acting properly for fear of being reprimanded. It requires that our educators have at their disposal the necessary resources available to assist those with serious behavioural problems in order that they be given a chance to succeed and go on with their life. Even the most naive kindergarten student must be dumbfounded when trying to understand the logic of this government. Do the members on the other side of the House truly and honestly believe that forcing students to sing O Canada each and every morning, or having the option to recite the pledge of allegiance, will do more to make our schools safe than providing adequate funding for child psychologists, more teachers and better resources? Where is the logic? Where is the so-called common sense of which this government speaks so highly and frequently?

En adressant l'Assemblée législative ce soir, je tente de faire entendre raison à ce gouvernement avant qu'il n'adopte ce projet de loi. Mais trop occupée à donner des coups d'épée dans l'eau, je suis inquiète que ce gouvernement risque encore une fois de ne rien entendre.

Believe me, Bill 81, the Safe Schools Act, is truly long on talk but so short on detail.

Mr Gerretsen: I'm very pleased to join the debate on this particular bill. I guess I'll be the last speaker this evening, from the look of the clock anyway.

Let me just start off by saying that I don't think there's anybody in the House who wouldn't want to have a school environment where everyone behaved themselves, where teachers could spend all of their time teaching our students and where you wouldn't deal with the kind of problems that are indicated in this bill.

I guess the problem we have on this side of the House is that this bill is so much like, for example, the squeegee bill, in which the government was intending to be tough on crime. So what do we do? We start picking on squeegee kids. Then the government said, "We want to really do something for victims," so they passed a Victims' Bill of Rights. Now I guess that bill may very well be unconstitutional, from some of the comments that have been made, and certainly doesn't provide victims with any engrossed rights that they don't already have.

We view this bill in much the same light. Everyone, obviously, is in favour of having a certain code of conduct in schools. The problem with this bill is it already exists. Most school boards have adopted these kind of policies, and they seem to be working quite well. The member from Scarborough East even acknowledged here tonight that they had a problem at a high school close to his place of business, and the school board, perhaps belatedly in that particular case, took action and they dealt with the problem. That's exactly where it should be. We seem to forget in this House that school boards have been around for a lot longer than local governments, have been around for a lot longer than provincial governments. We've had school governance in this province ever since about 1835. I think if we just left school boards to look after the mandate for which they were elected—they are an elected body of people in exactly the same way that we are, in exactly the same way that federal politicians are, in exactly the same way municipal politicians are. They are accountable to the public.

What you have done with each successive piece of education legislation is taken more and more power away from them. It's reached a point now where school boards really are totally powerless, from what I can see. There are very few issues that they can still get involved in. For a government that allegedly was elected on the basis that you preferred smaller government, you seem to be taking more and more control of different aspects of our community life—in this case, education within the Ministry of Education. I think that's what most people have a problem with.

The other thing, of course, that is closely tied into this is the whole funding for education. I know that whenever this is raised, the members on the other side don't want to hear about it. But if they really believe that by taking \$1.6 billion out of the education budgets of this province—and all one has to do is compare the estimates for the year 1995 to now and you will clearly see that \$1.6 billion has been taken out. You can also go and talk to the various boards, you can talk to the teachers, and you'll find out that the classes are much larger, by and large; that there are many fewer educational assistants within our system; that there are certainly fewer resources for music teachers, phys ed teachers, special education teachers and adult education. There are many people who are now prevented from attending adult education programs because the boards simply cannot fund the programs they were accustomed to some four or five years ago.

When you put it all together, we on this side have come to the conclusion that all of these various pieces of legislation may hit the right button with the public initially because it looks as if you're doing something about it, but when you examine them closely, you're not doing anything meaningful at all. That is the problem with this particular legislation.

As has already been said, we made a suggestion that you create safe school zones in which basically you say, within a five- or a 10-block area of a school property, that if a crime is committed, the fines or the punishment be doubled. This is obviously an attempt to deal with drug pushers, any kind of assault offences and things along that line. We suggested that and we would have preferred to have seen something to that effect in this legislation. Certainly school authorities have told us that's where they feel a lot of the problem lies. The real question to you, the government, is, why aren't you doing something about that? Why don't you create these safe school zones? It's my understanding, for example, that in the regional municipality of Peel these safe school teams have been adopted. They're made up of teachers, psychologists and other professionals to make sure that positive environments are created in response to problems within schools.

This entire bill is about funding and about the lack of funding for our school system. That is what you're hiding here.

There's another very interesting section that I haven't heard anybody talk about at all, and that is section 315, which is on page 13 of the bill, in which the minister in this act is able to "collect and by regulation require boards to collect such personal information" as she may specify by regulation about persons and the classes of persons for the following purposes and that "the information is to be collected:

"1. To ensure the safety of pupils.

"2. To administer programs, courses and services to pupils who are suspended or expelled."

It appears to us that this gives the minister and the boards unusual powers to collect information, and we

really don't know what it's going to be used for. I certainly hope that during the clause-by-clause hearings that are going to take place, and perhaps by way of the public hearings that are going to take place, although they undoubtedly will be few in number, the ministry will give a good explanation as to why this is necessary. It seems to us another attempt really by the government to perhaps try to get information about students that would seem to be unnecessary, and the question will be for what purposes it is being collected.

Finally, let there be no mistake about it: The kinds of offences or the kinds of situations that are referred to in this bill as giving the principal the power to suspend I

don't think anybody would disagree with. The seven instances that are referred to, and they've been referred to earlier as well, are all basically criminal offences. To suggest that members on this side are somehow against the establishment of these principles is totally erroneous and false. What we are clearly saying is that the principals and the school boards already have the powers currently to deal with the instances that are talked about in this bill.

The Speaker: It being almost 9:30, this House stands adjourned until 10 o'clock tomorrow morning.

The House adjourned at 2125.

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Une liste alphabétique des noms des députés, comprenant toutes les responsabilités de chaque député, figure dans les premier et dernier numéros de chaque session et le premier lundi de chaque mois.

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John C. Cleary, John Gerretsen, John Hastings,
Shelley Martel, Bart Maves, Julia Munro,
Marilyn Mushinski, Richard Patten
Clerk / Greffière: Donna Bryce

**Regulations and private bills /
Règlements et projets de loi privés**

Chair / Présidente: Frances Lankin
Vice-Chair / Vice-Président: Garfield Dunlop
Gilles Bisson, Claudette Boyer, Brian Coburn,
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Frances Lankin, Bill Murdoch
Clerk / Greffière: Anne Stokes

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