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Speaker: Honourable Derek Bennett, MHA

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The House met at 1:30 p.m.

SPEAKER (Bennett): Order, please!

Admit strangers.

I would like to welcome guests joining us in the public gallery this afternoon. Visiting us today are people representative of three Members' statements: Melissa Slaney, Executive Director, and Chantelle Bennett, Resource Development Coordinator for the St. John's Boys and Girls Club; Emily Power; Jennifer Fitzpatrick.

In addition, joining us for a Ministerial Statement are new employees to the public service who are part of the Graduate Recruitment Program.

I would also like to welcome Coraline Toomashie-Brown, daughter of MHA Brown.

Welcome, everyone.

SOME HON. MEMBERS: Hear, hear!

Statements by Members

SPEAKER: Today we will hear statements by the hon. Members for the Districts of St. George's - Humber, Terra Nova, Stephenville - Port au Port, St. John's Centre, Topsail - Paradise and also St. John's Centre with leave.

The hon. the Member for St. George's - Humber.

S. REID: Speaker, recently I attended an event in Stephenville to celebrate the 50th anniversary of the auxiliary to the Sir Thomas Roddick Hospital.

The first meetings of the STRH Auxiliary was held in 1972, as Hospital Administrator Harold Wells and several community leaders came together to form this organization. Since then, these volunteers have fundraised approximately \$285,000 for the hospital.

This group of volunteers operates the gift shop at the hospital which not only generates funds, but also provides a service for the patients and the staff. In 1993, the auxiliary branched out to Bay St. George South and formed the three Rivers Branch in the fine community of Jeffrey's where donations are made to the Jeffrey's clinic as well as the hospital in Stephenville.

Over the years, the auxiliary were involved in providing lunches, organizing social activities, providing pyjamas and other items to patients who came to the hospital. They also provide a quiet room and a kitchen area for family visiting loved ones.

In closing, Mr. Speaker, I ask all Members of this House to join with me in commending the Sir Thomas Roddick Hospital Auxiliary for all the comfort and care they have provided to the people of the Bay St. George area.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Terra Nova.

L. PARROTT: Thank you, Mr. Speaker.

Mr. Speaker, I rise today to recognize the Fry Family Foundation and its founders, Darryl and Marlene Fry, on their 25 years of community service in and around our province, country and beyond.

The foundation strives to provide support for the disadvantaged and support for the development of leadership skills within the student population through activities that include scholarships, entrepreneurship, community education and social enterprise.

While they have supported a wide variety of organizations such as MUN, CNA, Salvation Army, the Genesis program at the Marine Institute and the Community Alliance, I would like to focus my appreciation today on

the foundation's contributions to a community in my district

Glovertown is a thriving community and developing tourism hub in the Central region. Much of this success can be attributed to the foundation's partnership with the Town of Glovertown.

The foundation has partnered on various projects in Glovertown including the development of the Diamond House, the Art Studio, as well as the picturesque Ken Diamond Memorial Park as their very first project.

I commend this family for their generosity to the community, to the province and to the country and continued support, specifically to Glovertown.

Please join me in recognizing and congratulating the Fry Family Foundation for their contributions over the last 25 years.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Thank you, Speaker.

Kristen Cooze, who hails originally from Port au Port, and later Kippens, is a name that is well known on the sport scene in Newfoundland and Labrador.

Kristen has displayed a lifelong passion for sports, starting with ice hockey at the age of four, and continuing on to compete in every sport available: softball, basketball, volleyball, et cetera. Kristen's sportsmanship and athleticism has been recognized with many awards throughout her young career.

In 2011, Kristen was named to Team Canada's women's ball hockey team and, at that time, her goal was to be the first Newfoundlander to win a goal medal in

women's ball hockey as a member of that team.

Well, in June 2022, that dream became a reality with a 3-2 win over the Czech Republic. Kristen didn't just come home as a 2022 World Ball Hockey Champion; she also scored the game-winning goal to secure the victory. Kristen was inducted into the International Ball Hockey Hall of Fame and became the first female to do so.

I ask the hon. Members of the House to join me in congratulating Kristen in her future endeavours.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for St. John's Centre.

J. DINN: Thank you, Speaker.

Irish poet, John O'Donohue said, "Compassion is the ability to vitally imagine what it is like to be another"

For Melissa Slaney, Chantelle Bennett and Vicki Doyle of the Buckmaster's Circle Boys and Girls Club, the ability to imagine what it's like to be another underpins their compassion for the children they serve.

This is evident in Warm Bellies, a staff-led supper initiative which provides children with a nutritious meal so they leave the club with warm, full bellies.

Several years ago, staff noticed that during their supper break between the after-school and evening programs, when the club was closed, many of the children waited outside and did not go home. In many cases, there was no supper to go home to. They returned to the evening program hungry.

The BGC didn't have the resources to provide meals; staff brought in food from their homes so the children would have

something to eat. It grew, and BGC turned to corporate donors for support. Today, Warm Bellies provides hot meals to 25-plus children one night a week.

Now I ask Members to join me in recognizing the Warm Bellies project and the BGC staff who created it.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

Speaker, the World Karate and Kickboxing Commission World Championships are an annual martial arts competition where competitors from all over the world assemble to test their skills against the best of the best in their particular discipline. To be eligible to attend the world championships competitors must be selected to represent their country by their respective national team president by competing at either national championships, training camps or a series of regional tournaments.

Back in May, Emily Power travelled to the World Karate and Kickboxing Commission National Championships in Ottawa and secured a spot on Team Canada. Earlier this month, she travelled to Killarney, Ireland for the World Karate Championships, along with six other athletes from Newfoundland.

Emily did very good in point and continuous sparring events, earning her three gold medals and one silver medal. In total, the athletes returned home with 20 medals including five world titles.

Speaker, the performance of Emily and that of her Team Canada friends was outstanding. I am very proud to rise and to extend congratulations to 16-year-old Emily

Power, three-time world champion from Topsail - Paradise and I wish her continued success.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for St. John's Centre with leave.

SOME HON. MEMBERS: Leave.

SPEAKER: Leave is granted.

The hon. the Member for St. John's Centre.

J. DINN: Thank you, Speaker.

Speaker, I rise today to pay tribute to Williams Saunders, Bill Saunders, a World War II veteran who died last week at the age of 101, by reading a few words from the eulogy delivered by his granddaughter Jennifer Fitzpatrick.

To many, Bill Saunders was a decorated war hero who stayed after the war to free POWs and returned to Newfoundland to continue service with the Royal Canadian Legion. To me, this man was poppy. The man who made me breakfast, drove me to school every day. If it was raining or snowing, he would come to school an hour before we got out just to get a parking spot by the door where he would patiently wait reading a book, happy, knowing that I wouldn't have far to run to be in the warm, happy safety of his car. He guided me through my childhood with love and endless patience, always putting himself second. To me, this is what made him a true hero.

The true love of his life was my grandmother, Brenda, who he married after a short courtship during the war. I've often wondered how terrifying it must have been to walk away from her back into battle, not knowing if he would see his young bride again. Luckily, they both survived and created a beautiful life together; a life that I don't think was ever the same for pop after her passing.

Now, he is happily reunited with the love of his life. I can just picture my grandmother puttering around the house singing the Vera Lynn song that has finally come true for them.

We'll meet again,
Don't know where, don't know when,
But I know we'll meet again
Some sunny day.

SOME HON. MEMBERS: Hear, hear!

J. DINN: And with permission, I would like to ask for a moment of silence for this veteran of World War II.

SPEAKER: All those able, rise for a moment of silence.

(Moment of Silence.)

SPEAKER: Please be seated.

Statements by Ministers.

Statements by Ministers

SPEAKER: The hon. the Minister Responsible for Public Service Commission.

S. COADY: Thank you, Speaker.

I am pleased to welcome to our public service our first new employees through the Graduate Recruitment Program, many of whom who have joined us here today.

SOME HON. MEMBERS: Hear, hear!

S. COADY: These recruits are highly educated and skilled. Among this team you will find a doctorate in sociology and a host of masters' degrees, including public health, science management, economics, marine studies and health ethics. We have graduates with backgrounds in nursing, criminology and business, just to name a few.

These new employees bring their knowledge and skill and drive to collaborate and enhance development in fiscal, social, immigration and health policies, as well as Indigenous affairs, business analysis and human resources, among many others. These talented recruits are very eager to make meaningful contributions to the Government of Newfoundland and Labrador and through it to the people of the province.

The Graduate Recruitment Program provides an opportunity to gain valuable experience in one or more work assignments, expand skills and knowledge, network and connect with professionals and receive ongoing mentoring, coaching and learning opportunities. The goal is to develop a career path to management and executive roles within the public service.

I invite my colleagues to join with me in wishing our new graduate recruits well as they learn from and enhance our strong public service.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

I would like to thank the Deputy Premier for an advance copy of her statement. Speaker, the Official Opposition joins the government in welcoming these highly educated and skilled recruits to our public service. It's an exciting day. The skills that these individuals possess will be valuable to the people, the residents of Newfoundland and Labrador.

While we must celebrate our successes, we must also prepare and be ready for retirements in our public service. There are so many young and energetic recruits out there who are willing and able to join the public service if just given the opportunity. With so many possible recruits out there, we must ensure that no vacancy is left on the table.

Once again, welcome to these new recruits and we wish them all the best in their new roles.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

I thank the minister for an advance copy of her statement. The work of the public service is beyond invaluable. We encourage this government to be proactive with these individuals and the skills they offer to the public service. Find the big, bold ideas that we were promised in the youth of this province and these new individuals. We hope that they, like many other public servants in this province, aren't left scrambling to put government initiatives forward without – read about it in the news. We ask that you ask for their input as well.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Any further statements by minister?

Oral Questions.

Oral Questions

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

Speaker, the Premier has now had almost two weeks to produce receipts for his fishing trip with billionaire Liberal owner John Risley.

I ask the Premier: Will you table those receipts?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

As I said before, I always have and always will follow the rules and will continue to do so well into the future, Mr. Speaker. In fact, I've gone beyond the standard rules and set up an ethical wall, as it exists right now, between me and the person in question. That was done months and months and months ago, Mr. Speaker.

As the Member opposite knows that means that I have no decision-making when it comes to the person in question, Mr. Speaker. We have a robust, open and transparent system created by the Minister of Industry, Energy and Technology. It's open and transparent for all to see, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

I guess you can't table what you don't have.

Speaker, the Premier has talked about his ethical walls when dealing with the private business interest of his friends.

I ask the Premier, first question: What is an ethical wall and will you table documents outlining each time you use one of these, quote, ethical walls?

SPEAKER: The hon. the Premier.

A. FUREY: Sure, I'm happy to answer that question, Mr. Speaker.

An ethical wall is established such that any decision-making or any information surrounding any of my friends, Mr. Speaker, doesn't come to me for decision-making or influence. No different than the NLMA when they were negotiating salaries, Mr. Speaker. It would have been a conflict for me to have been involved in that as I am a physician;

my wife is a physician; I have lots of friends who are physicians. I didn't weigh in on that and I won't weigh in on this, Mr. Speaker.

Again, the minister has created a robust, open and transparent process that every proponent has to go through, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

This screams that we need an ethics commissioner. Those comments really scream we need an ethics commissioner. Why don't you table the documents and we can move on?

Speaker, an order-in-council to lift the wind moratorium was issued on April 5, just one day later the Premier's friend applied for a permit.

Did the Premier recuse himself from this Cabinet decision?

SPEAKER: The hon. the Minister of Industry, Energy and Technology.

A. PARSONS: Thank you, Mr. Speaker.

I'm certainly happy any chance I get to stand up and talk about the wind process that we have established here in the province.

Now, when it comes to applying for permits, in fact, I think anybody is able to apply for a permit at any time, especially as it relates to the Department of Environment. Certainly my department would see a lot of that in the sense of people applying, whether it relates to mining; whether it relates to oil; whether it relates to anything as it relates to resources.

So, again, this is something that happens all the time. I'm not aware of when these permits are applied for, but what I can say

about the process is that everything, so far to date, as people would know I have been talking about it in the House quite a bit, is moving above board, everybody is seeing it is fair and transparent.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

We're not looking for an explanation of the process.

One simple question: Premier, did you recuse yourself from that Cabinet decision?

SPEAKER: The hon. the Minister of Industry, Energy and Technology.

A. PARSONS: Thank you, Mr. Speaker.

I don't believe, actually, when somebody applies for a permit that it is a Cabinet decision; it would not go to Cabinet. The people would actually apply to the Department of Environment and Climate Change and it would go through that process there.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: I guess the answer is pretty clear, Mr. Speaker; order-in-council, I guess he never recused himself.

Speaker, the Health Accord details what the next decade and beyond will look like for health care in Newfoundland and Labrador.

Can the Premier tell us which page of the Health Accord recommends replacing St. Clare's?

SPEAKER: The hon. the Minister of Industry, Energy and Technology.

A. PARSONS: Thank you, Mr. Speaker.

Again, I have to go back to the preamble of the question because it is leaving the viewer or somebody watching with the impression that something was done wrong, something was not transparently, and that is offensive to me because the reality is this would not have been a decision made with Cabinet. Anybody applying for a permit would go through the department. That happens every single day.

B. PETTEN: (Inaudible.)

A. PARSONS: I say to the Member –

B. PETTEN: (Inaudible.)

SPEAKER: Order, please!

A. PARSONS: – wait until I answer the question before you get up and ask the question.

So, again, I would say this is not something that would have gone through a Cabinet process, that happens every day and I think the minister could talk about it at length.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: Mr. Speaker, the minister is playing games with words here now. It's an order-in-council when the wind moratorium was lifted. It happened in the Cabinet room.

I ask the Premier: Did he recuse himself from that decision?

We're gone into another rabbit hole here, but I asked him a clear question. The Minister of Industry, Energy don't have to answer that question, I'm asking the Premier that question.

Speaker, bricks and mortar are not causing the health care crisis in Newfoundland and Labrador. The failure to recruit and retain health professionals by the Liberal government is the cause.

I ask the Premier: Why make this announcement when we can't keep our existing emergency rooms open due to lack of staff?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

It's simple; the complexity of the health care system requires investment in infrastructure as well as human resources, Mr. Speaker. It can't be done in tandem. They have to be done in parallel. We have to build both at the same time. That's quite clear.

The metro region, which the Member opposite is a part of, has grown by 25 per cent since 2000, yet the acute care beds have not allowed for that capacity to be absorbed, Mr. Speaker. We have to be planning with respect to human resources, but we also have to be planning with infrastructure, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Mr. Speaker.

If it was your plan 27,000 people in CBS would be getting more than blood work they have to pay for.

Today, emergency rooms in Whitbourne, St. Lawrence and Port Saunders are closed

due to shortage of staff. Whitbourne has been closed for 19 straight weeks.

Why does the Premier continue to ignore the health care crisis facing Newfoundlanders and Labradorians today?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, I take exception to that comment. Yes, there are emergency departments still on diversion in this province, Mr. Speaker, but we've had a number of those emergency departments who were on diversion who are no longer on diversion. We've significantly reduced the number of diversions.

We introduced just a week or so ago, the Medical Act, Mr. Speaker, in this Legislature to allow us to better attract physicians to the province. We've got a number of incentives and initiatives put in place to attract health care professionals to this province.

You will hear later this week, my colleague, the minister responsible for Immigration and the Premier announce a very direct initiative. We will have shortly after that, another very direct initiative to attract health care professionals to this province.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. Acting Leader of the Official Opposition.

B. PETTEN: Speaker, we all take exception to emergency rooms being closed in the province. I'm glad the minister agrees with us.

SOME HON. MEMBERS: Hear, hear!

B. PETTEN: Speaker, the issue of inappropriate photos being taken of seniors in government run, long-term care facilities is nothing short of horrendous. The minister knew for weeks of one particular case but

the serious patient event was not disclosed to the public.

I ask the minister: Why are you failing in your duty to disclose these serious events?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, the issue that happened in Western Newfoundland was brought to attention of the department in late July. The issue in Central Newfoundland was brought to the attention of the department last month, Mr. Speaker, and the issue that the Member is referring to was brought to the attention of the department on Friday of last week.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: I'll remind the minister, I'm talking about the issue in Western Health that he told the media that he knew two weeks in advance. So it wasn't about the one that was last week.

Seniors in long-term care facilities are vulnerable and may find it difficult or unsafe to report incidents. Imagine trying to blow the whistle on an abuser who is due to deliver your next meal.

What additional safeguards have been implemented in long-term care facilities since these revelations so residents can safely report incidents and not worry about repercussions?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: If there is any incident in a long-term care facility, Mr. Speaker, it is unacceptable – absolutely unacceptable. Any staff member who brings an issue such as this forward will not have any issue in doing so, I can assure them.

Mr. Speaker, these issues are not acceptable. We fully expect seniors to be treated with respect and dignity and compassion. We've sent a request to all health authorities to ensure that training is up to standard for all staff. While I do believe that the vast majority of staff dealing with our seniors, Mr. Speaker, are doing so in the most appropriate way, we do need to deal with the situations that are not acceptable, I can assure you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Acting Leader of the Official Opposition.

B. PETTEN: Thank you, Speaker.

The minister owes it to the families and those residents in this home to be more forthcoming with those issues because other residents in that home have families that are unaware of these issues.

The Seniors' Advocate, in our 2019 report *Long May Your Big Jib Draw: Setting Sail*, called for a significant review of long-term care facilities and personal care homes. The new Seniors' Advocate has repeated this call as recently as last week in response to these incidents and our letter.

When will this review be completed?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, I've had discussions with the Seniors' Advocate, who herself has said she understands and accepts the fact that the majority of staff in the department during COVID were focused on COVID. However, it is time to get to this review, I agree.

Mr. Speaker, I've had discussions with the Seniors' Advocate. We've written to her last week and again this week, Mr. Speaker, to indicate that this review will take place. It is

important. It will be in-depth. It will be comprehensive.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

Speaker, the Janeway is now reduced to one psychologist. Child development is no longer accepting referrals, and the lone psychologist is not providing counselling. Speaker, families are in desperate need of supports for their children.

I ask the minister: Why is this government failing families and their children who need these services?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, it doesn't matter which province you look at. I saw news reports from almost every province last week talking about the shortage of health care professionals and the challenge in recruiting health care professionals. This province is no different.

This is an important issue, Mr. Speaker. We absolutely do need those health care professionals in these positions, and we are undertaking recruitment efforts in a very challenging globally competitive era to attract these health care professionals to this province.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

I'm very much concerned about this province – the Newfoundlanders and Labradorians of this province.

SOME HON. MEMBERS: Hear, hear!

P. DINN: Speaker, Kristi Allan has been protesting for 100 straight weeks for better long-term mental care supports in our province, even showing up on her wedding day.

In June it was reported that there had been – quote – a mass exodus of psychologists in the province.

I ask the minister: When will long-term mental health care get the attention it deserves, or will Kristi have to protest another 100 weeks?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, this government, under the Premier and the former minister of Health, have put in a number of initiatives to reduce wait times, improve mental health care in this province, and those results are clear.

Have we got all of the work done? No, certainly not. There is much more to be done. The psychologist that the Member speaks of, Mr. Speaker, there is an issue. We do want to attract and recruit these health care professionals and we are working on that.

I can assure him and all of the people of this province that this is a priority for this government.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker.

But this government's been here seven years – seven years.

The new mental health and addictions facility is scheduled to open in 2024, yet we

have seen a mass exodus of mental health care professionals in this province.

I ask the minister: How does he expect to provide long-term mental health care supports in this facility when he can't even staff the current facilities?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, it is this province we are trying to recruit for, I can assure him. But when you're dealing with a globally competitive era for recruitment and every province in Canada – he was saying just a couple of months ago, touting all of the doctors recruited in Nova Scotia, until he found out most of them are locums.

He no longer says that, Mr. Speaker, because the reality is our neighbours in Nova Scotia, in New Brunswick and Prince Edward Island, in Ontario and Quebec are all dealing with the recruitment issues that we're dealing with. We are focused on overcoming those challenges. We've put a number of initiatives in place. We have very direct recruitment initiatives about to be announced, in addition to all of the incentives –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

T. OSBORNE: – and initiatives that we've put in place.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Speaker, while the Minister of Health continues to state things are good in the area of mental health care in the province, the Minister of Children, Seniors and Social Development has now admitted to shortcomings in government's approach admitting – quote – there are gaps.

When can the residents of Rabbittown and the province expect to see solutions?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, we have put in place Bridge the gapp, which is an award-winning program in this province. Other provinces have taken up the same sort of programming, learning and implementing the Bridge the gapp program that we have in this province. We have Doorways. We have a number of initiatives – 811 with mental health services available to individuals 24 hours, seven days a week.

Mr. Speaker, the issues that the Member raises are important issues. They deal with prostitution with illicit drug sales. It is a very complex issue involving a number of departments and a number of agencies. These issues are not easy to resolve or to solve, but we are focused on helping that community and the people involved.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Mr. Speaker, the Minister of CSSD, in his own words to the media said: Mental health can be addressed by more resources in the community. We could not agree more. Advocates have been pushing for more wraparound services or supports for years.

If his colleague won't, will the Minister of CSSD now put his own words into practice?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, the FACT teams that are in place across the province, the ACTT teams that are in place, Bridge the gapp, Doorways: all of these initiatives

have been put in place and funded by this government.

They are dealing with – I take exception to the Member for saying that they're not working because they are, Mr. Speaker. Yes, there is much work to be done in the area of mental health, but we have reduced wait times – eliminated wait times in many cases – for mental health services in this province.

Mr. Speaker, there is much more work to be done, but nobody can deny the fantastic work that's been put in place. All you need to do is reach out to stakeholders, such as the Canadian Mental Health Association and others, who indicate that the work that has been put in place in this province is having a very positive –

SPEAKER: Order, please!

The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Mr. Speaker, last week the federal Liberals voted for the carbon tax. The Premier talks about a letter that he had sent to the federal minister, but clearly that letter didn't work.

I ask the Premier: Did you speak to our six Liberal MPs before the vote?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

I made my position on the carbon tax quite public. I've spoken to the MPs about it in the past. It's not the right instrument for this time in our province, given the inflationary pressures that exist and the fact that there are 40,000 to 50,000 homes, Mr. Speaker, still on furnace fuel. We've made it very public. We've made it very clear. I'm not

sure what else to say. It's a federal tax, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Speaker, so the Premier didn't speak to the MPs before the vote. I ask him why he didn't call those MPs before the vote.

AN HON. MEMBER: He did.

T. WAKEHAM: No, he said he spoke in past. He didn't speak to them before the vote.

Did the Premier speak to the MPs before the vote?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

This has been an ongoing conversation for months, Mr. Speaker. So I have spoken to the MPs over the last several months with respect to this pertinent issue and how it impacts Newfoundlanders and Labradorians.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: So clearly, the Premier's influence on the MPs is about as good as he has with influence over the prime minister, his friend. The Premier's friend, the prime minister, is forcing carbon tax to be charged on home heating fuel.

I ask the Premier: Who is getting the revenue from this carbon tax on home heating fuel?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

First of all, my friend the prime minister has been here for Newfoundland and Labrador with \$5.2 billion –

SOME HON. MEMBERS: Hear, hear!

A. FUREY: – to clean up the mess from the other side, Mr. Speaker. Without that, Mr. Speaker, the electricity rates would have doubled – doubled.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The hon. the Premier.

A. FUREY: So the prime minister has been there for this province, Mr. Speaker, and he will continue to be there, I'm sure.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Stephenville - Port au Port.

T. WAKEHAM: Speaker, it's amazing how the prime minister of the country can take an equity stake in a pipeline but can't take an equity stake in a project like ours that's good for clean, green energy in this province.

Now, let's talk about –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

T. WAKEHAM: The Premier didn't answer the question, so I ask again.

Given the fact that the revenue from the carbon tax is going to come to Newfoundland and Labrador, will the Premier commit that his government and his Finance Minister will rebate that money paid by people back to the people who are actually paying that tax?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

It remains to be seen what the federal government is going to do with their position with respect to Newfoundland and Labrador. We put our position forward. What they do will be up to them. If they implement a backstop, as I'm sure the Member opposite knows, it will be their money to distribute, not ours, Mr. Speaker. That's how it will work.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

It's now been a year since the worst cyberattack in Canadian history, crippling our health care system, yet this government remains silent on the details of what happened.

I ask the Minister of Digital Government: Why do you refuse to be transparent with the public on one of the worst cyberattacks in our country's history?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

Cybersecurity is very important to our government. We have a range of initiatives that we're undertaking to review and make sure that everyone's information is as secure as it can be, Mr. Speaker. We're looking at all of our ABCs to see how we, as core government, can help support them in their cybersecurity initiatives, Mr. Speaker. It's very important.

I would recommend that everyone do the training that's available in PSAccess for all of our Members here in the House to make sure that you're personally making sure that

you understand what to do with emails that you get and all that kind of stuff.

Cybersecurity is everyone's responsibility, Mr. Speaker, and I encourage all Members of this House to do the PSAccess training.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Again, 20 minutes wasted and no answers.

When Ireland faced a cyberattack on their health care system, their government launched a full public inquiry within six months. The public knew about a ransom request and about changes made to protect the health care system in the future.

I ask the Minister of Digital Government: Why do you refuse the transparency?

SPEAKER: The hon. the Minister of Digital Government and Service NL.

S. STOODLEY: Thank you, Speaker.

We note that cyberactivity is on the rise, Mr. Speaker. We get millions of attacks to our core government every year and we have a very dedicated team. We're working with lots of third-party vendors to try and make sure that we're protecting the data of the people of the province as best we can, Mr. Speaker.

I would recommend that everyone in this room do the PSAccess training on cybersecurity, make sure that you have very complex passwords, use a different password for each of your systems, don't open email attachments from people you don't know, don't click on links, make sure you check that the link is unique, Mr. Speaker, before you click on the –

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

S. STOODLEY: Thank you.

SPEAKER: I've heard the question. I want to hear the response, too.

The hon. the Minister of Digital Government and Service NL, if you want to finish.

S. STOODLEY: Thank you, Speaker.

There are lots of actions that I encourage everyone in this province to take to protect their own information and their own security.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, 14 days ago when asked about the long wait-list for hip replacement surgeries, the Premier, in reference to the new program responded: "There are some hiccups along the way."

The Premier made the announcement in May, yet still no action.

I ask the Premier again: When can the people of this province expect single-day outpatient procedures for hip replacement surgeries?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, this is an issue that the Premier has taken a great deal of interest in, I can assure you.

As far as I am aware – I have not been notified otherwise – Eastern Health is still on target for November to start same-day joint replacements. Mr. Speaker, I know that

physicians are taking appointments now. I also know, as the Premier had indicated last week, that we're looking at two other locations in the province for joint replacements, which is an initiative of this government to expand that service. Mr. Speaker, we're looking at Carbonear and we're looking at St. Anthony.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Harbour Main.

H. CONWAY OTTENHEIMER: Speaker, it is nice to hear that the Premier has taken an interest, yet we see no action. A constituent from Clarke's Beach in the District of Harbour Main was told back in May that her surgery would be a priority due to the severity of her condition.

Today, this woman is a hostage in her recliner. Her family is watching her suffer in agony every day. Our office has reached out to the minister's office looking for answers, only to be told that client relations will be calling her. There have still been no calls.

Speaker, what action is being taken to help this woman and so many others who are suffering while waiting for the call?

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, there is action being taken, if same day replacements are supposed to start in November, I would say that is action.

Mr. Speaker, it does take time to get these things up and running. From May to November is not an extraordinary long period of time. We just went through the approval process today to have Carbonear approved to have joint replacements take place in Carbonear. I know we're in the

process, Mr. Speaker, of putting the pieces in play to have them done, as well, in St. Anthony.

So there is concrete action being taken in this province. I can't change the scheduled appointment time, but we will make sure that we address client relations again so that individual gets a call.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, a recent ATIPP request revealed that during last year 50 per cent of our aircraft maintenance positions were vacant.

Is this why water bombers weren't available over 28 times this summer while some of the worst forest fires in Newfoundland and Labrador history threatened families and their homes?

SPEAKER: The hon. the Minister of Fisheries, Forestry and Agriculture.

D. BRAGG: Speaker, I'm proud to announce that with our capacity of our four air tankers is better than the six we had in previous years. They were ready for the call in Central Newfoundland this year; they were assisted by outside people. Quebec came in with four more air tankers. We were well equipped for the forest fire that happened this year in Central Newfoundland.

We're about to do a debrief on it now and see if there is something else we needed, like maybe an early response team, I may be letting the cat out of the bag here. We may want to just drop people down on the sites early in the game.

But this past summer our four air tankers and our crew, I can't thank them enough for the work they did to keep those ships in the air, Mr. Speaker.

SPEAKER: The minister's time has expired.

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

Speaker, while the announcement of a new St. Clare's hospital and investments in health care infrastructure are welcomed, bricks and mortars don't check your vitals, won't prescribe treatment, won't care for you while you're hospitalized and will not relieve the crushing demands on our health care professionals.

I ask the Premier: What's the plan to staff this and other health care facilities in the province?

SPEAKER: The hon. the Premier.

A. FUREY: Thank you, Mr. Speaker.

As the Member opposite should know, the delivery of health care is quite complex. It can't be just one stream versus the other. Human resources and infrastructure resources can't go in tandem. We're recognizing that the metro region has exploded 20 to 25 per cent since 2000 and we have to make sure that we're looking at human resources and infrastructure in parallel, not in tandem. We are growing both, Mr. Speaker, to meet the demands of the metro region and, frankly, these hospitals serve the rest of the province as well, Mr. Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: I think health care professionals would prefer that they are a priority first.

As part of government's accelerated plan for the new hospital, the Premier announced his preference for the use of P3s. We know that P3 build models cost more, cut corners

for profit and saddles future generations with debt. This government said debt is a birthright for people of this province.

Speaker, what is the cost of this build and which government friends stand to profit?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, we announce the process is starting today. There will be consultation, Mr. Speaker, with all stakeholders on what this design needs to look like, how many beds are required, what services are required. Then we go to an RFQ, Mr. Speaker, which will give us an indication of the costing of this and then we go through the budget process.

This is no different than any other process where government will announce the intent to do something and then the process starts.

Mr. Speaker, we'll know soon what the cost of this is. We'll know soon how many beds are required, what services are required and, hopefully, even the design of the build, Mr. Speaker.

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Speaker, this government promotes the importance of social determinants of health. Education is one of them. It's a fact that Inuit youth have different cultural learning needs. This makes online learning a barrier for most Inuit students.

Will the minister return in-class teaching for Grade 12 students in Nain, a step, a real step, towards reconciliation?

SPEAKER: The hon. the Minister of Education.

J. HAGGIE: Thank you very much for the question, Speaker.

Hands on, in-class education is the standard we wanted to return to. This year, we made that a priority with reopening the schools the way we did and is near back to normal as possible.

The previous education action plan reference specifically the need for culturally appropriate, contextual education and under that, there was an Indigenous group formed to advise the department and the school district.

Indeed, on the basis of subsequent discussions, teacher allocation review and the like, this need for culturally sensitive education continues. We'll continue to work with the First Nations to do that, Speaker.

Thank you.

SPEAKER: The hon. the Member for Labrador West.

J. BROWN: Thank you, Speaker.

Speaker, for 100 weeks a group has stood out in front of this building demanding the Liberal government do better to deliver long-term mental health needs. In Labrador West, you have to prepare up to 100 weeks before you get your first call with a psychiatrist or a psychologist.

Do the minister think that a two-year wait for this type of mental health service is okay? When will the access to this type of service improve for Labradorians?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Thank you, Mr. Speaker.

No, I don't think it's okay. Mr. Speaker, the key element here is recruitment of more psychologists. That is something we're focused on. We will look to recruit more individuals which will shorten that wait time, Mr. Speaker.

We need the health care professional to deliver the service. We are recruiting the health care professionals.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party, no preamble, please.

J. DINN: Thank you, Speaker.

Premier, at the nursing rally they are pleading for relief. The Premier announced an accelerated plan to get this new building up and running.

I ask the Premier: What is the accelerated approach for our human resource plan for health care or should we expect self-checkout terminals with WebMD prompts for triage?

SPEAKER: The hon. the Minister of Health and Community Services.

T. OSBORNE: Mr. Speaker, for physicians we have the start-up program of \$150,000; new family physician income guarantee; a family practice renewal program; a 20 per cent family physician enroll premium; a remoteness bonus; obstetrical bonus; rural retention bonus; royal community comprehensive care bonus; salaried physician geographic retention bonus; oncology and pathology bonuses; 20 per cent rural fee for service; psychiatry premium program; travelling fellowship programs. Mr. Speaker, I'm speaking loud because it's a long, long list.

SOME HON. MEMBERS: Hear, hear!

T. OSBORNE: Mr. Speaker, physician management and leadership program, one of only a few in all of Canada; the Ukrainian physician licensure support program; housing allowances.

SOME HON. MEMBERS: Oh, oh!

SPEAKER: Order, please!

The minister's time has expired.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The time for Question Period has expired.

Presenting Reports by Standing and Select Committees.

Tabling of Documents.

Tabling of Documents

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Speaker.

Speaker, pursuant to section 9 of the *Transparency and Accountability Act*, I am pleased to table the 2021-22 Annual Report of the Marble Mountain Development Corporation.

SPEAKER: Other tabling of documents?

The hon. the Minister of Finance and President of Treasury Board.

S. COADY: Thank you, Speaker.

In accordance with section 60 of the *Financial Administration Act*, I'm happy to table the 2021-2022 Public Accounts. I'm proud to say we again have an unqualified audit opinion from the Auditor General.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Any further tabling of documents?

Notices of Motion.

Notices of Motion

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

I give notice that I will on tomorrow move the following motion: that notwithstanding Standing Order 61, this House shall not proceed with Private Members' Day on Wednesday, November 2, 2022, but shall instead meet at 2 p.m. on that day for Routine Proceedings and to conduct government business and, if not earlier adjourned, the Speaker shall adjourn the House at midnight.

SPEAKER: Any further notices of motion?

Answers to Questions for which Notice has been Given.

Petitions.

Petitions

SPEAKER: The hon. the Member for Ferryland.

L. O'DRISCOLL: Thank you, Speaker.

The background of this petition is as follows:

Witless Bay Line is a significant piece of infrastructure; and

WHEREAS many commute outside the Avalon on a daily basis for work, as well as commercial, residential and tourism growth in our region has increased the volume of traffic on the highway.

Therefore we petition the House of Assembly as follows: We urge the Government of Newfoundland and Labrador to upgrade this significant piece of infrastructure to enhance and improve the flow of traffic to and from the Trans-Canada.

Speaker, I've done this a number of times for sure and it's certainly worth repeating. It is used by a lot of fishing companies and truckers in the area transporting crab to and from across the Island across this piece of infrastructure.

On one end there are probably four or five kilometres done, on the other end there are probably six or seven, but in between it's horrific to be truthful. You have to go on the opposite side of the road to drive in there. It's very dangerous. More dangerous in the nighttime and this time of the year. The potholes are not seen when you're driving there and you haul out and go across to try to avoid one and you're right into another, causing some damage on wheels and stuff like that.

It's something that we'd certainly love to see done and taken care of. Again, lots of times I see people and they say to me don't forget to bring up motorcycles driving across. It is a shortcut going across Witless Bay Line to go across the Island. When you leave and go out around it's an extra hour.

This is an important piece of infrastructure that should be completed and should be finished. We certainly look to the minister to have that in his budget next year.

Thank you.

SPEAKER: The hon. the Member for Torngat Mountains.

L. EVANS: Thank you, Speaker.

I present this petition, a request to return Nain High School courses back to in-class learning.

The reasons for the petition:

Newfoundland and Labrador English School District's decision to move teachers from the Nain High School academic courses to other responsibilities, thereby placing the high school students in online learning. Parents and students are demanding a return to in-class learning for academic math, English and science high school courses; and

WHEREAS the Internet wasn't adequate in Nain for students to do online classes, and

Nain students have never done CDLI courses in the past as well; and

WHEREAS the removal of in-class teachers in the community without the capacity or experience to deliver effective online education has deprived students of equitable access to education; and

WHEREAS limiting Nain students' academic options impacts their potential for post-secondary education opportunities, perpetuating the socioeconomic marginalization of the Labrador North Coast.

WHEREUPON the undersigned, your petitioners, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to advocate for the return to in-person education to the students of Nain High School now.

Speaker, this is a very important petition. It was petition that the parents decided should be placed, basically calling attention to the gaps that their students, their children were falling into. One of the biggest things that we know about the Labrador Inuit cultural ways of doing things is their way of learning. It's very, very true and it's been proven in the past that in actual fact online learning is not the best way for our high school students to learn.

The students in Nain, first off, have never done online learning before. They're all honour students. They're there, they're actually quite interested in education and they have a lot of hopes and dreams. A lot of them are looking now – most of them are looking at going away to post-secondary. If they get bumped down to the general, or if they have to actually switch down to general courses on their own, it's going to actually create a lot of hardship.

In actual fact, this decision that the school board made was so wrong. First off, we all knew the Internet was really slow. So why didn't they try to improve the Internet and

make it more acceptable? Also, another thing is the Minister of Education talks about cultural differences and trying to make sure that decisions are made so that the students can have the best education. Well, in actual fact, this decision flies in the face of that. Really it's an insult.

Now to turn around and say, yeah, we're going to fix the Internet just like that. Well, where were those changes in the beginning of September? Also, the teachers, the high school core academic course instructors, the teachers, were in Nain in September, so why did they take them and put them into the junior high? Why didn't they try to solve the recruitment issue for the junior high –

SPEAKER: Order, please!

The Member's time has expired.

The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

Crown Lands' enforcement of the provisions of the *Lands Act* abolishing squatters' rights against the Crown has created an undue hardship for Newfoundlanders and Labradorians who honestly, and in good faith, have occupied and developed their lands. Historical title in Newfoundland traces back centuries and people have developed their land for generations based on an informal title.

There is a significant disconnect between Crown Lands positions on private land claims and the reality in communities throughout the province.

The District of Bonavista is one of the oldest settled areas of the province and its residents find themselves unable to sell or mortgage or develop their lands because they cannot get clear title.

We, the undersigned, call upon the House of Assembly to urge the Government of Newfoundland and Labrador to make a

legislative amendment to allow for a mechanism to resolve existing private land claims on Crown land and revisit the 1976 legislation to abolish squatters' rights against the Crown.

On Thursday, I was called to attend a residents home, it was the Diamond homestead in Catalina, because CBC News were doing coverage of the problems that they have in trying to be able to sell their property. I would expect that the story by Darrell Roberts ought to air tonight or tomorrow night, but certainly, early this week.

I just want to reinforce, which I stated some time ago, the Diamond situation. They built a house in 1983 on the land that was owned by Pauline's father in the Town of Catalina. Her father had bought it from the Keel family in 1981. They had affidavits of possession registered and all filed with the Registry of Deeds. Mr. and Mrs. Diamond were paying the municipality for four decades – over 40 years of admissible tax on their property.

She was diagnosed with stage 4 cancer. Her and her husband moved to a senior's complex and wished to sell their home. They had affidavits but when they got to the courts, the only objection in that court system came from Crown Lands. There was nobody in the community who disputed their title to the land, but Crown Lands did.

Where it is now is that it's costing them legal fees and they're hoping to get it resolved sooner than later. Maybe the minister can speak to that.

Thank you very much.

SPEAKER: The hon. the Member for Exploits.

P. FORSEY: Speaker, the Government of Newfoundland and Labrador introduced a 20 cent per litre tax on sugar-sweetened beverages at a time when many families, seniors and residents of the province are

struggling with the already skyrocketing increased cost of living in the province.

We, the undersigned, call upon the House of Assembly to encourage the Government of Newfoundland and Labrador to cancel the sugar-sweetened beverage tax at the earliest opportunity.

Speaker, I'm getting this from my district every day and we're getting it here and throughout the province. The cost of living wasn't bad enough; even buying groceries, buying fuels – it was tough enough as it was for seniors, even other people on low incomes and throughout the province. Everybody was hurting because of inflation and now we have the carbon tax, we have the sugar tax and fuels are gone skyrocketing.

Speaker, this sugar tax right now is a tax that people just can't absorb. They want it axed; they want it taken out. Actually, in my district every time I go back in district and especially last weekend when I was home, this is almost becoming a joke to them. This is serious, this is becoming a joke; they're laughing about it. The sweetened-beverage tax on foods, this is a tax that they don't need and people of this province and especially in my district want the government to certainly cancel that tax.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Minister of Finance and President of Treasury Board for a response.

S. COADY: Thank you.

In response to that petition, I'll tell you what's not a joke, Speaker, is the high levels and high rates of diabetes, cancer and heart disease in this province. The Member opposite well realizes that there is a choice; you can drink the sweetened or you can drink the non-sweetened and we

would encourage people to drink the non-sweetened beverage.

I'll quote from a former leader of the Progressive Conservatives, who formed the Official Opposition. I'm going to quote from him from *Hansard*: "I know from the studies and the evaluations and the results that I've read over the last few months ... is that they've proven beneficial for a number of reasons. It shows that there's a reduced consumption of sugar which we know is not good for healthy growth, especially for young people."

That is from a former leader of the Progressive Conservatives, Speaker. I know that the Member opposite is concerned about higher prices of consumables; this is one way that people can make an informed choice of deciding to drink non-sweetened beverages.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Orders of the Day.

Orders of the Day

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Speaker.

I call from the Order Paper, Motion 1.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Speaker, I move, seconded by the Minister of Education that under Standing Order 11(1) this House do not adjourn at 5:30 p.m. today, Monday, October 31, 2022.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: Is the House ready for the question?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

The hon. the Government House Leader.

S. CROCKER: Thank you, Speaker.

Speaker, I call from the Order Paper, Order 7, second reading of Bill 7.

SPEAKER: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Speaker.

I move, seconded by the Member for St. George's – Humber, that this bill be now read a second time.

SPEAKER: It is moved and seconded that Bill 7, An Act to Amend the Schools Act, 1997, be now read a second time.

Motion, second reading of a bill, "An Act to Amend the Schools Act, 1997." (Bill 7)

SPEAKER: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Speaker.

It's great to stand in this House with what I believe is my first piece of legislation with a new portfolio.

SOME HON. MEMBERS: Hear, hear!

J. HAGGIE: So here it goes.

The reason for this bill is the purpose behind the second reading; it's here for me

to lay out what it is that drives this. In *Budget 2021*, a decision was made to integrate into the Department of Education the Newfoundland and Labrador English School District. This decision was taken on the basis of a need. We have excellent teachers. We have some of the best proportion of masters-trained teachers in the country, and over the years our educational outcome never seemed to quite match up to that level of expertise in the classroom.

We, in the department, took very much a student-centred focus about how to move the dial here. One of the things which was agreed and, in actual fact, has been referenced by other outside reports, was the idea of integrating the school district into the department.

This is done with the idea of essentially creating a generation of lifelong learners, but the focus initially had been on K to 12 which was obviously where, at that point, most of the responsibility of education as a department lay.

As part of that there were some amendments brought in last year. The board of the Newfoundland and Labrador English School District was replaced by, firstly, a transition board, and then an integration board. That latter has been very active and, under their auspices, there have been a variety of Integration Teams set up with membership across the spectrum. There's been a really enthusiastic collaboration between school district and the Department of Education, and they are really generating, (a), a lot of movement internally and, (b), a lot of excitement.

In terms of movement, it is anticipated that some of the functions of the school district could be absorbed into the department as early as January or February but, in any case, within the next six months or so. This is not the end of the process. It's an intermediate step along the way. Under advice from the Integration Board, this

intermediate step with this bill, these amendments, allow us to do several permissive things.

One is to confirm the replacement of an elected school district board with the Integration Board. That would simply exist as long as it was necessary for the integration process. Board function has two roles. One is governance and further down you'll see, in the act, that there are specific requirements. We have to have director of education and we have to have an associate director and specifically named assistant directors.

This is kind of governance oldspeak. What we are proposing in the amendment is simply to change the title of director with superintendent and whilst depending on your perspective, that may have some different connotations, it seems to be generally the accepted term for such an individual across Canadian jurisdictions.

The other removal will not simply mean these functions go, but it allows government, the Integration Team and the Integration Board an opportunity to change the governance structure to align with what will ultimately be the case when the final stages of integration occur.

The other piece around an elected board is that of representation. What is proposed in this act is to establish a Provincial Advisory Council on Education, which will take on an advisory role for the minister and ensure that there is adequate regional and sectoral representation from, if you like, the end-users, the students in the school.

The governance structures for that, the appointment mechanisms and so on and so forth would be addressed under LGIC regulations should this amendment go through. There is some other kind of more mundane aspects to the act. The bill here – the bulk of it, in actual fact, is gender-neutral language.

The second chunk outside of that is really what the amendment is not about. It's not about changing anything to do with the Francophone school board. They are constitutionally protected. They have a new chair, a new board in terms of composition and a new director as of very recently. I've met with the chair and my staff met with the new director as recently as last week to discuss other implementation issues around education and these changes in the act are to do two things. One is to take out the functions of the Conseil Scolaire. They were lumped together with the English School District in the previous act. This will take them out, keep them whole and maintain their current operating methods and structure in language that will be clumped together to reference the Francophone school district itself.

It allows business there to continue as normal. We have an excellent relationship with them. I would imagine that over the course of the next little while, as we contemplate maybe, I would hope the final changes to the Schools Act that would finally see the dissolution of the entity of the school district as otherwise come in, that would then disappear as a legal entity. We'd be happy to talk to the Conseil, and actually are doing it on a regular basis, to make sure if there are any tweaks, kind of thing, that they'd like, we would like to do it with them.

So as I say, gender neutral maintains the status quo. Essentially, those are the pillars of this fairly straightforward, I would argue, amendment. I look forward to discussions in Committee. We have plenty to talk about if people want to, but, again, I don't know if I necessarily need to beat this to death in second reading.

We are working on moving our students essentially to be the best in the country. There is absolutely no reason why, when we make these changes around curriculum and we do it in a collaborative way, in a consistent way and empower teachers and principals to have some flexibility within that

curriculum – there is absolutely no reason why a graduate from Grade 12 in Newfoundland and Labrador with their certificate should not be ready for whatever they choose to do, whether it's to go into a private training institute or CNA for a trade or an applied degree, or to go into Memorial or other universities and become degree qualified. Or, indeed, simply want to take a pause and come back to learning as a habit that we've been able to bring to them through a tweaking, an improvement of the system that we currently have.

So that's the big overarching picture here, is how we get to that vision at the end. This is another step on the way. It doesn't take us all the way but it takes us a considerable way further than we currently are at the moment. I'd look for support across the House.

Thank you very much, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Bonavista.

C. PARDY: Thank you, Speaker.

Thank you to the hon. minister on presenting his first piece of legislation in his new portfolio. Every time you get a chance to present a piece of legislation on education it's always a good time and a great, great debate.

I stand as the – in case those viewers watching – elected official from the District of Bonavista, and why I say that to the viewers and to the House is that, the first-known school in Newfoundland and Labrador was in Bonavista. So it is where it all began, was in Bonavista.

I would thank a good friend of the Member for Baie Verte - Green Bay, Eliza Swyers for directing me to Newfoundland Studies for that little tidbit of information, and very proud of that.

I was looking forward to an amendment of the Schools Act and, again, I fell victim to wanting and expecting more than what was presented. I do think that this is pretty straightforward, as the minister had stated, because it does cover what the intention would be. We are bringing the NLESD into the Department of Education, that's where we are and the parameters around that generally that's where the legislation is.

Keep in mind for the last time the Newfoundland and Labrador English School District operated, in charge of it was a director. We always had a director of education in the Newfoundland and Labrador English School District. Keep in mind now, we had a superintendent in the past but most recently a director, because we wanted someone to be in charge of the department or the organization and the delivery of education, a person in charge, because that is a director. We know a superintendent will manage the system.

We don't have a change to the French school district. They will have a director. The English School District will not have a director but they'll have a superintendent, because we're now not going to have anybody in charge of the Newfoundland and Labrador school district except for the minister.

The minister, he'll message that after and give a reply to that, but from me looking at the way it would be, ultimately, it will be the minister who will serve de facto as the director. I would say until you see the organizational flowchart and the effectiveness, then I would think some may be concerned with that. That's the whole purpose of the debate. We'll have that within Committee that we can look at that.

We're going to establish PACE, which is a Provincial Advisory Council on Education and this is going to come from school councils. At the schools that we have in Newfoundland and Labrador, I'd be interested, when the minister goes to

Committee, to be able to share how many of these schools have a council. How many go through elections in order to have a council? If we find that 50 per cent of them do not have elections then I would say sometimes we may not be getting the representation that we had celebrated in the past as voices representing the residents of Newfoundland and Labrador.

That's a question that we would have in Committee. I'm not sure, and I ask that question because I do not know the answer.

When I was the principal of Clarenville Middle School, we didn't have elections for school council. We struggled to get people to serve on school council and once we had them, well, we didn't want to part with them. We kept them and they stayed on and on and on, almost in perpetuity because we never had people knocking on the door to serve on our school council.

So in my estimation on this amendment, we're giving a whole lot of weight to this Provincial Advisory Council because they are now going to be the body that's going to meet before the director or the minister makes the decision.

I will confess, and not on behalf of the Official Opposition, just me, the Member for the District of Bonavista, there seems to be a lot of transition away from decision-making by officials that will be elected by the residents of Newfoundland and Labrador into the political realm, Cabinet or the minister. This is another case where the minister will be making the decision. It seems like any decisions that are going to be made in education now will be by the minister and the Cabinet and, again, that would be something that we'd have a conversation on in Committee. So I would say we'll have the minister with full control of the education system.

If anybody knows, when I did stand and looked at the consolidation of the English School District and the Department of

Education, remember, I voted for. I was on board. The only thing I would say to you, I was on board thinking that the parameters would be that we did have representation from the residents of Newfoundland and Labrador: the parents, the children, the students in the high school level and other community representatives. So when we go to Committee, I'd be interested in hearing the minister in the debate as to where that is in this particular system.

I want to take the opportunity – the one thing that wouldn't be in the legislation, Speaker, that I was hoping would be in the act probably had to do with the teacher hiring. I'd like to think that we probably looked at the teacher hiring. If we look at the report that came out and the report they had that looked at the teacher allocation *Learning in a Time of Change*, they mention the hiring of teachers and what we've done here.

For those viewers and for those people in the House, during negotiations when this government negotiated back in, I think 1819 with the teachers, they slipped in a clause and they presented a clause to the bargaining unit where full-time teachers can be transferred on seniority and seniority alone if their qualifications are the same. That is something that I was looking for in the Schools Act to be amended to see as to where it was, because the authors of the report surely did state that we may have an issue.

If I can present a situation that we would look at so that we can all collectively get our heads around, we have rural areas and we have urban areas in Newfoundland and Labrador. So let's say we have an urban area and a rural area and teachers apply. Everyone in this House will say that the most applicants you're going to have for a teaching position ordinarily would be in the urban areas. The more remote areas it would be, you would have little competition. You would have some, but minimal competition for those positions. We don't

need to get into the reasons, but I think we can understand that.

Teachers apply in rural areas; they probably have 150 other candidates. They apply in those remote areas and there may be two others, three others, a couple may not be qualified, but that's how slim it is. So a person joins the system in the rural area – not the urban but the rural area. They spend 10, 20 years in a rural area. They gain seniority. They have a science degree. An application to Holy Heart of Mary comes up and they're looking for a person with a science degree.

If the teacher that was in the urban area that had to compete with 140, 160, to those in a rural area that had to compete with two or three, they are on a level playing field by what this government negotiated back in 1819. Based on their degree and their qualifications, they can now transfer by priority, by seniority, to a position in a metro school. I would say to you, based on what the qualifications would be a science degree being a science degree, there are a whole lot of other elements that need to be looked into.

If I were, Speaker, in my capacity within the Clarendville Middle School, we'd look at eight teachers and we'd hire who we think to be the best fit for our school – the best fit for the teaching and learning within our building. Under this current system that this government negotiated in in 1819, that is a moot point. As long as the qualifications are there, they go in.

So when we look at the Schools Act, I was hoping that we would have had something in the Schools Act that would have reflected that. And, remember, the authors of the report brought it out, even though I know it wasn't in the terms of reference.

Just continuing on that point, I had asked two years ago questions to the NLESD. I had asked how many applicants in these small rural areas that we would have

generally in our system and would they have competition. They said very few of our competitions have only applicant, unless it's in a specialty area.

Every teacher then in our system has a two-year probationary period. Every teacher that enters our system has a two-year probationary period. I had asked, through the evaluation process and this probationary period, how many do not continue on to permanence. I had asked my colleagues here, a few of them, earlier and they guessed 25 per cent, 40 per cent. Well, the answer from the English School District, those 50 per year that we have, that are coming off two-year probationary, they had one that didn't make the previous, which would be three years ago now when I had this data, which means about 2 per cent, and that was par.

So if we're thinking about our system to make sure, I would like to think that in the Schools Act, we would have the assessment evaluation of staffing to be a little broader than what we would have in the Schools Act. So again, I'll certainly leave a lot of discussions or questions that I would have for the minister in the Committee and allow somebody else to be able to speak to that further, and I'll wait for Committee.

Thank you, Speaker.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Leader of the Third Party.

J. DINN: Thank you, Speaker.

The minister had talked about how the outcomes never seem to match up to the levels of expertise we had in the school system. I want to put the discussion of this amendment to the Schools Act in some context because I'm really not sure if this is going to make this system any better, especially if we're not addressing the social

determinants of health. That's a discussion for later on.

But I want to give a brief history of basically how education has been used on both sides of the House as a political football at times from teachers. That's how it feels. In 2013, Speaker, under then a PC government, it was announced that the four boards would be collapsed into one: the Newfoundland and Labrador English School District.

I will tell you that that decision at that time came out of the blue. There was no consultation, but it is the year that I assumed office as the NLTA president. It caused a tremendous amount of disruption, Speaker, to a lot of principals and schools, especially those in Labrador and the remote areas on the West Coast.

It also led to some rather interesting arrangements because, at that time, there were perfectly good school district buildings in areas which had to be sold. Then when it came for any PD days, schools and districts were renting out space in local hotels, which they otherwise would've just had the use of their own building. I cannot say to this day if that made the education system any more efficient or put the resources in the classroom, because that was the idea of it – it didn't happen.

Move ahead then to 2016 and we have a Liberal government in this time who brings in *Budget 2016*. Where I'm going with this is that often by putting it into the department it's not necessarily the best thing here. Because I think the structure that exists right now needs tweaking, but certainly part of the problem is the government control.

So 2016 introduced full-day kindergarten and combined grades and that's the issue. It introduced full-day kindergarten at the expense of the rest of the system. What you're seeing there, that meant that 140 teachers were taken out of the system at that time to bring in the full-day kindergarten initiative. Great idea, full-day kindergarten,

but when you suck the resources from the rest of the system it's a zero-sum game. And that is a policy that fits in with this government as well, of zero-based budgeting, a zero-sum game that, in the end, benefits the budget but does not benefit the school system.

In 2021, there was an announcement here regarding the elimination of the Newfoundland and Labrador English School District. I remember asking at that time, well, what's the plan? What is the plan, then, if you're doing this, just so we don't repeat 2013? More or less it was said, well, we'll have a better idea when we get into it, we'll know what we're hoping to achieve. Not the most confidence building answer, but nevertheless fair enough. I said at least make sure there's consultation.

Flash forward ahead to this year and now we find that there's a consultant's report that was written on this very process. First we heard of it; heard it during Estimates. Didn't even know such a creature existed. We asked for the report, we were told at that time, yes, we'll get that to you. Now it's become a Cabinet document, so it's protected. We did an ATIPP; it was protected.

Now we have a consultant's report, which is going to guide this process, which the public cannot see: What was recommended, who wrote it, what they looked at, whatever, we cannot see it.

So here we are now, we're about to bring the NLESD under the auspice of the ages, I guess, of the department and I've got to ask myself why would I trust this process when there's such a lack of transparency here? My other fear is the political nature of it.

Earlier this year, we had the announcement of a new school in Portugal Cove-St. Philip's. New schools just like new hospitals are wonderful. Every teacher likes going into a shiny new school with the best of – with the SMART Boards and everything else

that will work, as long as they work. But it's always going to come down to the human resources to make it work. It's like beds in a hospital, if you don't have the nurses to keep them open they're not going to stay open.

Yet, here we have a decision, by the way, which is now going to – if it follows through – take 300 students out of Prince of Wales Collegiate and what will that mean? It'll cut the population in half. But what it will have an effect on is on the services that are offered, whether the schools now have a full-time or a part-time teacher librarian, access to programs, access to a full-time school counsellor.

The question that's never been asked: Well, how are we going to resource these? Yet, it wasn't something that was identified by the school district. And whatever the school district's faults are, the one thing that when they're looking at decisions like this, is that they are looking at the growth, the needs and how do they maintain resources.

I taught at Holy Heart and I can tell you in a population of 1,200 students, the resources or the programming that you can offer students is phenomenal. That's the advantage of a larger school. There are disadvantages but that's a key advantage.

But here we have what was, in many ways, a political decision that did not address or did not take into consideration the needs. That's a problem. If that's something that – and now, as we bring the district into the department, are the decisions going to become more political, more opaque?

From the very beginning here, we talked about zero-based budgeting, budget based decision-making. It's been a factor for education all through my career and even when I was president of the NLTA. We always fought that.

I'll just give a few other examples here. I do want to get into one key piece of evidence

that really drives home for me why I'm truly, truly cautious about this.

We had an allocation committee that was commissioned. Now, I will tell you that one of the members who was chair of the Western school district, Speaker, we ended up with, when I was president of the association, there were more grievances filed against that district than all the other districts combined. Yet, that's the decision, that's the person who we put on this allocation committee. What's the information we're going to get out of it?

Or 2006, the Atlantic Accord – love this one – we put \$2 billion of Atlantic Accord money into the pension, that was under the PCs at that time. Then they failed to derisk the plan – 2008, gone. The plan was in almost bankruptcy again. So you'll forgive me on both sides if I'm a little bit leery about decisions made by a government, regardless of political stripe.

I want to go to the Carter Churchill human rights tribunal, which, if anything else, comments there that deal with the whole issue around the resourcing which get to the nub of it. It has basically nothing to do with the case, but comments: How are we going to resource the schools in our system?

It was said by the assistant deputy minister that never, while I was there either as a director of school services or as a deputy minister, did the district come to the department and say we need more deaf-and-hard-of-hearing itinerants, and haven't got anything left.

Here's the neat relationship, because I heard it from principals at the time: Don't come asking because you're not getting it. That came from government. That comes down from the department. The district does not generate money. It does not set its budget. It's given to it, for the most part. Here are your needs, here's what you're getting; don't come asking. I can tell you

more than once in the school system that's exactly what would happen.

But here it is, you've got a former ADM saying, look, no one ever came to me. No one ever came to me to ask. Yet, it was quite clear here from the CEO of the school district, the culture of don't ask for more; yeah, that's right because it's pointless. And the other resources within the province – very clearly that government is saying we never hear any issues; no one in the district ever came to us looking for these resources. The district is making quite clear, well, that's because we were told repurpose, cycle, redeploy within the system.

There was no new sources coming. There's no new allocations. Yet, I'm going to have to believe here, Speaker, that in this new and improved system that somehow, magically, these resources will now come into it being. All the while, we're going to remove a democratically elected school district –

S. CROCKER: (Inaudible.)

SPEAKER: Order, please!

The hon. the Government House Leader.

S. CROCKER: (Inaudible) under Standing Order 48, this bill is not a very broad bill, and I just ask you, Mr. Speaker, to look at relevance in this case.

J. DINN: I'm asking – I'm trying to –

SPEAKER: One second, please.

Order, please!
I will ask the Member to stay relevant to the bill. We have been giving lots of leeway there.

The hon. the Leader of the Third Party.

J. DINN: It goes to the heart. This is supposed to be about, Speaker, that this is just a simple matter. We're going to

basically make the system better by bringing the NLESD under the Department of Education and it is going to streamline it. My argument is clearly that no, it will not and there is ample evidence, ample history to show that this is not the case. The fact that this issue was brought up tells me that I'm making the point.

But it comes down to this. In the end, it's not necessarily the district that's the issue; it's the fact that the government of the day that controls the purse strings, that is the issue, regardless of who it is.

I seen too many examples of it where you can bring it to the district and it comes back, no, we can't do anything because it's not getting any traction with the department. So I will say this, while this bill may be put forward as somehow we're streamlining it, we're going to actually help make the outcomes better, I'll argue, until government decides to put more money into the identified deficiencies, I can tell you what happened throughout my career, what I saw, will continue to happen because the district in many cases was strangled by a lack of funds.

They had no ability to do anything. The district is not the problem. The problem is across the floor here and it comes down to that. My fear is that bringing it in, the decisions will become more political and less focused on the needs of the schools, of the teachers and the students and more focused on political expediency and that is not going to be good for education. If nothing else, the fact that now that they removed, sort of, democratically elected boards or trustees is a warning sign. It's a signal. It's a red flag for me.

That, combined with what I've seen in the past and experienced myself, would suggest that if we're going to do anything, let's see what we can do to make the current system better and talk about that first before we decide to throw the baby out with the bath water.

I'll go with this route. If this is such a good process, why hasn't the Francophone school system signed on? Seriously, why haven't they signed on? If this is such a good approach, you'd think they're be jumping at the chance. I think they know something that we know – that this is not going to be beneficial to their students, to their teachers, to their district because what it's going to do, I think in many ways, is make the decision-making less transparent, more opaque, less democratic and certainly, in the end, it's not going to result in more resources going into the school system.

I've got too many examples to show how that's the case. I can think of one school in particular – I won't mention the name of it – that won an award for its inclusive practices. Only the following year, they had an influx of students, no extra resources, and they had to dismantle their award-winning program because, again, not the district but the department was not going to provide the extra resources it needed. In the end who suffers with that are the students and the teachers who teach them.

Until we get that straight, you can amalgamate the district into the department all you like but if it comes down to starving resources and suiting your own political ends, we're not going to get any further.

Thank you.

SPEAKER: The hon. the Member for Topsail - Paradise.

P. DINN: Thank you, Speaker. I just want to talk – I don't know how long I'll talk. I'm hoping to be brief but we'll see what happens.

I was listening to the minister in bringing forth this bill. His first one bringing forth – his first Education one. Anyway, he alluded to this is coming out of *Budget 2021* and it was to integrate the Newfoundland and Labrador English School District with the department. He further went on and spoke

about creating a generation of lifelong learners and his words, I think, talked about a student-centred focus. I think those are the most important words in bringing this bill forward.

I've always said in this House, whenever I got up to speak about resources, our most important resource is our children, our youth – those who have to be educated and trained. Those, as the minister said, creating a generation of lifelong learning.

Whenever I see education as a bill, it doesn't matter what it is, but the end result of any bill dealing with education has to be to improve the outcomes of our students and ensure our students, our youth and our children are getting the education they need to be successful and participate in the labour force in this province and abroad. Hopefully here, but sometimes abroad.

I question why this move. I'm still not clear on why this move, why now, and as the Member for St. John's Centre mentioned, why the French school district is not partaking and English is, so there are questions there. But when I look at it and I look at it with the focus of children and the outcomes for children in ensuring they get the education they need, I don't have to look too far to see the decision-making process.

I'm not sure if it's how it should have happened or how it has happened, but it's only recent that a new school was announced in Portugal Cove-St. Philip's. That new school was announced by government. It was announced by government and nobody begrudges Portugal Cove-St. Philip's with a new high school. No one begrudges that.

But when you speak to the executive of the Newfoundland and Labrador English School District, this was out of the blue. They did not know this announcement was coming and the data that they had – in fact, I don't believe that school was on the radar. Yet, government made that announcement

unbeknownst to the Newfoundland and Labrador English School District.

So now it's all coming in under government, which leads me to question what other decisions will be made that are not on the radar and that are not supported by proper data and statistics and numbers that justify it and make it accountable.

That's become an issue for me in Topsail - Paradise, because for many years – for at least 10 years – there's been promises of a high school and an intermediate school in Paradise. The intermediate school was postponed for a few years when this government came in, but it's there and it's a great addition to the community and a great addition for the kids there and the parents.

The one piece that's on hold is the high school. That's been deferred indefinitely or long term. I think we're there now and I'm hoping to meet with the minister when we can come up with some common time to meet and have a chat on that.

But I can tell you because of the decision made to put a school in Portugal Cove-St. Philip's – again, not begrudging them that – it raised big concerns for parents and students in Paradise.

SPEAKER: Order, please!

I'll remind the Member to stay relevant to the bill, please.

P. DINN: Yes, thank you, Speaker.

Again, I'm speaking to the bill of which the minister said: student centered. I'm speaking to a situation where a decision was made by a government department and the English School District not knowing. So that's the angle I'm taking on this, because that comes into question when we move everything under the department.

How do these decisions now be made when, in this instance, you had a school

with data and enrolment numbers and the like that supported a school in Topsail - Paradise from the English School District's numbers, yet government has deferred it. While on the other hand, you had a high school for Portugal Cove-St. Philip's, which wasn't on the radar for the Newfoundland and Labrador English School District, but government approved it.

That's where I have some issues with this bill in terms of the district falling under government. How are these decisions going to be made or do we expect more of the same? That's a valid question, and that's a valid question that I get from residents about how did they get that and how come we didn't? Again, I don't know the answer.

If I look at the Explanatory Notes here on this bill, it's interesting to see – this is one point I picked up on – it would “update the powers of a board to require employees to undergo assessments by medical practitioners, registered psychologists or other professionals approved by the board.” The clause itself makes sense, but I then question how is that done? When only today I asked questions on psychologists and the lack of psychologists and we talk about the lack of medical practitioners.

When I see that, when you're updating those powers to allow for assessments by medical practitioners and registered psychologists, I have to question, well, how is that going to happen? How is that going to happen? Especially if we go back to the minister's comment on student-centred focus, creating a generation of lifelong learners. We know that 70 per cent of mental health issues originate in adolescence and in schools and they don't have educational psychologists.

When I look at this note I question, okay, how is this implemented? Well, the main question I have – and I'm hopeful the minister will address this when he gets up at the end – I really am not convinced as to why this is happening. I'm very cognizant, or

I guess wary, of if this puts too much control with the department, the minister and government, especially in light of some recent decisions we've seen.

Hopefully, when we go through Committee a lot of these questions will be asked and I'm quite confident we'll get some good responses that will clear up some of this grey area. At the end of the day, when we're dealing with education legislation, no matter what, the end goal, the end focus has to be on the kids, the children, the student-centred focus as the minister has stated.

I do hope that this bill, at the end of the day, does improve the resources and educational supports that are put forward that will help our students. But, again, I'm still out on the why – why this is coming forward.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Mount Pearl - Southlands.

P. LANE: Thank you, Mr. Speaker.

Mr. Speaker, I'm a little bit divided, I guess, on this bill, because on the one hand I like it in one sense. I like it in the sense that I've always felt, and not just this administration, in general, I've always felt that the school boards were simply put there as a buffer and were used or misused, whatever way you want to say it, by government of the past and possibly present and future, as a shield when things went wrong. But by the same token, when there were good announcements to be made, the minister of the day would be there front and centre.

Just as an example, all of a sudden we need some new schools. The minister is there front and centre, cutting the ribbon, doing the media coverage, flanked by all of his other MHAs for the area and so on. It's a great news story. We're opening up a

school. But if a school had to close, or if there were issues in a particular school whatever, no, that's the school board, that's not me, that's the school board done that. That's their decision.

So getting rid of that aspect of things and putting the responsibility clearly – putting it on the shoulders of who's really making the decision, that being the minister and the department, I kind of like that. You can no longer hide behind the school board when things are going wrong and say that was the school board's fault. Even if the reason why things were going wrong was because of lack of funding or support or so on from the department, but you're getting rid of the fall guy, being the CEO of the English School District, and putting the responsibility, clearly, on the shoulders of the minister. So I do like that concept, if you will; at least it's more honest.

That said, as others have sort of alluded to, I do have some concerns about, in doing that, giving that absolute power to the minister, to the Cabinet and so on. Particularly when we look at other things that have happened, certainly even over the last year or so in this House of Assembly where there have been questionable things, questionable decisions and when you try to obtain the information, everything is under a cloak of secrecy. Everything falls under Cabinet confidence.

One of the things that jumps out at me, as an example, we're going to establish a Provincial Advisory Council on Education. Well, it's an advisory council, so they're not making any decisions. They're just giving advice. Now, at least, when we look at the decision that was referenced here for the school in Portugal Cove-St. Philip's – and God love the people. They got their school. I've got no issue when them having their school. That's not the issue. But the fact of the matter is that the CEO came out and said he didn't even know about it. He was shocked that it was even on the list.

So, at the very least, there was something going on behind the scenes. There was something obviously political going on behind the scenes if the CEO of the school district didn't recommend this school, was shocked that it even happened. But if we had this Advisory Council on Education, my question would be: When they give advice to the minister, how do we know what advice they give, and how do we know if the minister accepted that advice or chose to ignore that advice?

For example, if there are things that are needed in the system or decisions that need to be made and it goes to the Advisory Council and the Advisory Council says, Minister, here is what – and I am assuming there are going to some people, I would hope, from the community, some people with expertise and so on. So if they're going to get together and put in their time and make the best of what they feel is the best decisions to the minister, the minister could simply dismiss all those. They could write a report and they could take and just run it through the shredder and then say Cabinet confidence. We don't know. We do not know what recommendations were made and if the minister did it or not. There's no buffer.

At least with the elected school board, you have elected people. At least they know if there was recommendations made. At least those people can come out to the public and tell the world, here's what we wanted to do. We think this is a bad decision. This is something that came before us, and this was a decision that we wanted to make in the best interest of the children, but the minister said no.

Under this scenario, this Advisory Council writes a report or whatever, makes recommendations, gives them to the minister and he can say no, I don't want to do that. Right in the shredder. When people say, well, why was this decision made? What did the Advisory Council say? Cabinet confidence, I can't tell you.

So we're back under this whole realm of secrecy again, a lack of transparency, and we've seen a lot of that. We've seen a lot of that recently. It kind of reminds me a little bit of the Independent Appointments Commission where three names vote for it. The minister can take the three of them and run them right to the shredder and doesn't have to tell us that the person I chose wasn't on the list. I threw them out and I picked this person. No disclosure.

From what I'm reading here and from my understanding, the same thing can happen here. The Advisory Council can make recommendations to the minister and the minister can ignore all that advice, even if it's good advice, and we'll be none the wiser. Unlike where you have at least an elected board, those board members who are elected by the people can say, listen, if the minister wants to try to hide these decisions, he can.

As a board member, I'm telling the world what happened. I'm telling people that we did not agree with this. At least you have that ability for some openness and transparency. But by removing it, all of a sudden, it goes directly to the minister and the Cabinet, everything becomes Cabinet confidence, and decisions can be made. Not necessarily the decisions that were recommended for the best reasons, perhaps for political reasons, and we'll never be none the wiser and when anyone asks, it is Cabinet confidence. So I see that as very problematic.

The other thing – and maybe the minister will expand on this and perhaps once we get into Committee and so on, I'm sure there'll be lots of questions. Again, I heard my colleague reference the student-centred focus. I think that was the minister's words. I don't want to put words in his mouth, but as for my colleague from Topsail ascribed to the minister as saying – I think he said that or something close to it at least.

I'm just wondering how making this decision improves educational outcomes. I'm just trying to draw the connection because I didn't see any – other than to say it. We can all say it. I can stand up and say this is going to improve educational outcomes. This is all about the students. It's easy to say it but how? How is it?

I can understand where we're saying, well, we're going to get rid of some bureaucracy. Maybe we can save some money by like payroll and HR and roll that all into government and that could be some savings. Perhaps we can eliminate a few positions. Combine some positions which already exist in the Department of Education and combine them with positions that exist in the English School District. So get rid of a layer of bureaucracy, streamline, all that stuff, and maybe we can save some money. I could understand we're doing it for that reason.

Whether we agree with it or not, that's another story but, in the name of efficiency, I could see that being a reason perhaps for doing it. But to say we're doing it to improve student outcomes, I'm really struggling to make that connection. Whether there's a school board or simply the Department of Education, how that improves student outcomes, I hope the minister will expand on that because I don't see it. I just don't see it.

Now, I could understand if this bill said we're going to improve student-teacher ratios. We're going to have additional guidance. We're going to have more resources for children with special needs and so on. Because with our inclusive education model, a lot of people would say that that's very challenged because of the resources and might be a great idea in principle to bring all students together and everybody is included. But if you don't have the supports in place, that's not going to work.

I could understand if this bill was saying better technology, more teachers, more guidance, more student assistants and more resources. If all that was in this bill then I could say, yes, I can see how this is going to improve educational outcomes. But none of that stuff is in this bill. All we're saying is that we're going to get rid of the school district and put it all under the Department of Education. Potentially close more schools – potentially. I don't know if we will or not.

But the bottom line is how that improves student outcomes, which is what the minister said the main focus here is on, that part he has yet to explain it so that I can understand it. I don't understand how that part works, so I'd love to hear how that part works.

What I see is eliminating a layer of bureaucracy, which may or may not be needed, and that's debatable. That's debatable whether we actually need a CEO and all the people at the English School District or they can simply be employees of the Department of Education. Not sure if that's going to make things better from an organizational point of view, whether it's going to save us any money. I don't know.

I can remember at the time when we used to have the churches run the schools. I can remember my kids had just gotten into the school system at that time. I guess it was in the early 2000s, I suppose it was. I can remember the argument at the time is we're going to bring everybody into the one – get rid of the denominational education. That was going to save a pile of money and all that money was going to go back into the school system. Didn't happen, didn't happen.

Then we got rid of the school boards and collapsed them all into one school board and that was going to save us a pile of money and everything else to go back into education. Best of my recollection, I stand to be corrected, but I think a year or two after

that happened we actually spent more. I think it actually cost an extra \$1 million or \$2 million a year or whatever it was under the collapsed system than it did when we had the four or five school boards. It cost more. That experiment didn't necessarily work. Certainly now, if we're talking about cost cutting, it didn't work.

Now we're into another exercise of potentially streamlining, potentially saving some money, at least when it comes to HR and payroll and all that kind of stuff, I could see potentially. And maybe eliminating a few of the higher administrative rolls in the English School District and just simply putting it under the Department of Education, I could see that.

We're still going to need all the teachers and everything else. We're going to need all that. We're going to need guidance counsellors. You're still going to need people on the ground in the various parts of the province coordinating activities with the schools and so on, as we have happening now with the English School District. You're not going to eliminate any of that. It'll just be the same. But maybe you could eliminate a little bit of administration.

But at what cost? At what cost do we do that? Do we take a system, which currently exists, which people would argue is not perfect right now, has its challenges, has its flaws, but at the very least people can take some comfort, I suppose, in the fact that you do have elected board members, elected from the people of the province that would have some say, some input. And if their input and their recommendations are turned down or not supported by the department, at least they have the ability to speak out and let the people know.

Whereas, with this advisory council of appointed people, my fear is, as I said earlier, they make recommendations, their recommendations are not accepted, not supported for whatever reason, and the department decides to do whatever they

feel like doing anyway for political reasons, which arguably we've already seen not too long ago, and the people would not be any wiser. No one is going to speak out and let the people know what's going on. So that's what you give up.

So I'm not sure to be honest with you if this is a good idea or not. I'm not convinced that this is the right thing to do, at this point in time. It's not straightforward, as the minister said. It may be a straightforward bill but the implications are not necessarily straightforward as it lends itself to less transparency and openness than we have now. That's my concern.

With that said, Mr. Speaker, I'll take my seat because I know my colleague here want to say a few words and perhaps some others as well.

Thank you.

Speaker (Warr): I'm recognizing the hon. Member for Burin - Grand Bank.

P. PIKE: Thank you, Mr. Speaker.

It's an honour and a privilege today to speak in this hon. House and represent the people of the great District of Burin - Grand Bank.

I'd like to say a few words about this amendment, this change, Bill 7, mainly because I was involved in education for almost 40 years. If we stick to the bill and what we're proposing to do here, we find that we're going to look at: remove the requirement for elected school board for NLESD, we're going to replace references to director and we're going to remove the requirement for a board to appoint an associate director and assistant directors.

Now, if we look at that, I was part of two school boards in my career. One was the Burin Peninsula and the other was the Roman Catholic School Board for the Burin Peninsula. I found back in those days we had the integrated board, the Roman

Catholic board and the Pentecostal board on the Burin Peninsula. We had three boards. But then we had large numbers of students. Some of the schools that I was an administrator at had two classes of kindergarten students coming in every year – every single year. Now, those schools have years where they only have one student or zero students. It's just amazing how the numbers declined.

You'll find that's the case right throughout this great province, that our numbers are declining. We have to change.

I remember as well the number of schools that we had and we still are maintaining a large number of schools in this province. It's so important that we do because we all know schools are the life of a community.

I had the opportunity as well to be seconded to the Department of Education back in 2000. At that time, I was manager of high school certification and I worked with a great group of individuals in here. What you have to realize is that the Department of Education is mostly made up of teachers that are seconded to the department for various projects. The project I was involved in was bringing back public examinations. Yes, we looked at outcomes; yes, we looked at everything. But to me it was like looking at the system in Newfoundland and Labrador as you would look at your own school or your own district.

When I was a director with the Burin Peninsula School Board we had a large number – we had 5,000 teachers. We had plenty of people that needed to be hired each year. Like I say, we had large, large numbers. Once we started to move towards one school board, the Burin Peninsula School Board, there were people out there that doubted that would ever work. How could that work, it's too many students? But it did work.

What I see here happening in this bill is the same thing. We're moving towards being

realistic about the number of students that are out there.

The other thing this bill looked at was modernization and expanding the duties of a board to admit teachers. Now, there probably are still a few teachers sitting here today that getting these student teachers into your school was almost competitive. Principals wanted them. We wanted them for a number of reasons. They brought new ideas into the classroom. They helped teachers who had large classes. If we're going to make that process easier, if we're going to say that we're going to allow students trained in the area of education into our school system, then we're doing a great thing for our students.

The bill speaks as well to the idea of school councils and school councils being involved in the Provincial Advisory Council on Education – PACE. Again, a great idea. School councils work; they really do work. They were probably the best thing ever brought in to this province when it comes to education.

Now, they may not have worked in all schools, but those schools that they did work in, you knew that by the successes that they were having in student learning and with the after-school programs, school lunch programs, you knew that that school had an effective school council. When they were created, they represented the educational interests of the school. That was one of the things that they were asked to do – purely advisory.

In the schools, when these school councils were created, the principal stood on the school council, elected parents and a youth representative, if applicable, if there were high schools. They advised the principal and school on teaching and learning. Again, these are hands on, right at the grassroots level, people having a say in the running of a school – a wonderful concept and a wonderful idea.

They facilitated community involvement. I can tell you that the successful schools that have community involvement whether it be the business people in the community, whether it be individuals who can bring something to a school, the seniors in your community who can come and talk about the history of your community, these are successful schools, hands-on schools.

As well, they communicate to parents. Parents were bringing out programs, whether they be after-school programs, like I said, lunch programs or whatever, but parents were bringing those out. That was an easier sell to the community.

So me personally, I support school councils, but I also support the PACE movement because PACE will bring in ideas and so on to this level of government that work in their particular schools.

One of the things that we have to be concerned about, and what this bill will do as far as I'm concerned – I think it was the Member for Mount Pearl - Southlands mentioned about teaching and learning and improving the quality of teaching and learning and so on. I think that will happen. We are now entering a phase where that will definitely have a positive impact. The new changes, the new amendments will definitely have a positive impact on student learning.

It's all about our youth. We have to focus on the child, and that's what we're doing here in my estimation.

SOME HON. MEMBERS: Hear, hear!

P. PIKE: We are creating a teaching and learning environment that will see our students, the youth of our province, who will be us someday, develop into individuals who have a great sense of community and a great love for our province. It will create a school community like no other. As well, it will put the resources, that is human and

material resources, it will put those into schools where they are needed.

Mr. Speaker, thanks for the opportunity to speak. I hope this amendment to the Schools Act goes through for the benefit of all Newfoundland and Labrador.

Thank you.

SOME HON. MEMBERS: Hear, hear!

SPEAKER: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Mr. Speaker.

I'm going to have a few words on this. I just heard the Member speak on that point and he's saying, yes, that it's going to be beneficial for the students, but the question is how. It's easy to say it's going to be beneficial and this is what the Member for Mount Pearl - Southlands was saying. He's questioning, show us how it's going to be beneficial; show us the plan.

So when you stand up and say the Member for Mount Pearl - Southlands said it's for the students and you say, yes, it is, but how. This is what we're asking: What is the plan and how is this going to filter down to the students? Those are the questions we're asking.

We all agree that the students are the beneficiaries of a good decision. So that's the question we're asking. Hopefully, throughout the discussions on this bill, this will be put forward and say here's the plan. Because the consultant's report, Mr. Speaker, that was put out on organizing the school board, we can't see it, so we don't know what's in that report.

I know the Member for St. John's Centre, the Leader of the Third Party, mentioned earlier that he asked for the report and then, all of a sudden, no, it's a Cabinet decision now, Cabinet discussions, because now you can't see it. So when you make those

statements saying that it is better for the students, it may be in that report, but we can't see that report. This is why we're asking these questions. This is a prime example of why we're asking the questions.

Over time, Mr. Speaker, you get a bit cynical when you hear some of those statements: Trust me. It will be done. This is the role of the Opposition. If you look back at the history, there are a lot of times when you should have trusted them much less than you already did. This is why you need to ask the questions, just stand up and say, okay, we're going to eliminate the school boards, we're going to put in an advisory council and everything is going to be good.

I'll tell you one drawback about that right away – one absolute drawback: Any decision that's made, once this is put in place, for a school in Lark Harbour cannot be made by an official in Corner Brook; it has to be made by an official in St. John's. This is one of the drawbacks. This is very simplistic drawback, but it's a major drawback for the student who needs extra student assistance. It's major for a student who needs extra services, who needs extra supplies.

Now, we have to go – and I'll use anybody in this House of Assembly. I'll use this example. If I, as the Member for Humber - Bay of Islands, walks into Topsail - Paradise and I starts telling the Member, here's what you should be doing. You know what they're going to say? Who in the hell are you? You don't know the outline. You don't know the people in this district. You don't know the needs in this district. They'd be right. Every Member in his district has their role and they know what's needed in their district, they know the priorities and they know their concerns. People contact them. But if you take that role from all the MHAs and say, okay, we're going to put in just one person in St. John's, you'll never get the proper end results.

So that's one very small drawback, because when you have student assistants in an area and there's a special-needs student – and I'll just use that for an example – you have to go to St. John's now to try to get a few extra hours. The local people haven't got the authority now to make that decision. That's wrong. It is just wrong.

Mr. Speaker, I'm going to bring up something. You're talking about the advisory committee, and I know the Member was talking about these school councils. There are some school councils that are very active. There's absolutely no doubt. I know some back home, very active. Some they don't even meet. They won't even meet with them. Some they do, some they don't, but the ones that do are very active. I know J. J. Curling, I know Templeton is very active on the North Shore, they're very active and I know J. J. Curling. I know Sacred Heart was very active, I don't know about now, but they were very, very active.

We're going to put an advisory council in who is going to advise the minister. I just wanted to put the parameters around this. Right now, we have a school board with an elected membership, an elected board. So the idea of the elected board is that they would make recommendations to government, right now as we speak. The elected board will sit down with the school board, have all the information, then they would make a recommendation to the government. That's the structure that's in place right now.

What this government is saying and what this minister is saying is it's going to be better if we get an advisory council. I just want to read a part of the ATIPP that came back from an elected school board with the Newfoundland and Labrador school district and it was concerning the school in Portugal Cove-St. Philip's. I want to read the email and show if the elected school board with the Newfoundland and Labrador school district, right now is being overridden by the government, what chance do an advisory

committee have? I just want to read the email.

After it was announced in the budget about a new school – this is coming from Tony Stack. Tony Stack, for the people that are listening, is the CEO of the school board, top guy in the school board: "Greg, we have had some internal inquiries on this as it will profoundly affect the PWC feeder system. I expect we will also get external inquiries. It was not one of the three priorities we identified nor has there ever been an infrastructure request for a high school in PCSP. Are you able to provide any background to this announcement that may assist in responses or in planning for a catchment adjustment?"

So that was done with an elected school board – no consolation. So now –

P. LANE: Not even a priority.

E. JOYCE: Not even a priority.

P. LANE: Not even on the list.

E. JOYCE: Not even on the list. And then the minister –

AN HON. MEMBER: (Inaudible.)

E. JOYCE: Pardon me?

AN HON. MEMBER: You heard me.

E. JOYCE: I never heard you.

SPEAKER: Order, please!

AN HON. MEMBER: Same fellow who couldn't find the school buses.

E. JOYCE: It's the same fellow who couldn't find the school buses. That may be. And it's the funny thing I say to the Member, the same one who couldn't find the school buses, but it's the same minister who made the recommendations who found the school

buses. So you got to be careful if they're actually listening.

Mr. Speaker, what the current Minister of Education said, here is how he responded to this now: "Stack declined an interview request, but Education Minister John Haggie said Wednesday the decision 'came out of the infrastructure and budget discussions'...." Then it went on under the CBC: "... a town bordering St. John's to the west, does not appear in the district's most recent list of prioritized capital requests. The document was provided to the government in 2017-18 and hasn't been amended"

So when the minister says that it came out of an infrastructure and budget discussion – if anybody has been around the Cabinet, anybody has been around the infrastructure committee or the budget committee, you had to have a document to have it discussed on the agenda.

There is an agenda, put out and you know that, Speaker, you know that, you've been in Cabinet. There is an agenda. So what happens is there is an agenda and you bring the agenda forward for the infrastructure or the process in government. So when there's no request put in, how can the current Minister of Education defend the previous minister in saying that oh, we sat around and we decided through the budget consultations that we're going to have now an infrastructure committee, when there wasn't even a recommendation made.

So there's nothing there to discuss, nothing on the agenda, but all of a sudden: boom. Here's a new school against the wishes of the elected school board and the Newfoundland and Labrador educational school district. Now we're saying trust us, we're going to put an advisory committee in place.

So there are a few issues there. I know the Member for St. John's Centre, the Leader of the Third Party, brought up a good point about the report – the consultants report.

Release the report. If we're going to have an open and frank discussion, if we are seriously saying that the bottom line for this decision is to benefit the children of Newfoundland and Labrador, let everybody have a copy of that report so we can all have an open and frank discussion.

I mean, that's not a difficult decision. It's not a difficult decision. Taxpayers of this province, through the government, went out and got a consultant's report on the consolidation of the schools, of the elimination of the school board. The report came to government. Government said on this recommendation we're going to eliminate the school boards because it's going to better help the students down the road. We're saying show us that report.

They're not going to show us the report because they said, no, it's for Cabinet decisions. And you want us to trust you? Or there's a good one there, Mr. Speaker, what is that one? Fool me once shame on me. So we've been fooled a couple of times.

So this is why you've got to ask the questions. Like, if it's really and truly – I'll be totally honest, there's people in the Third Party over here and in the Opposition and the same with people in government, who are educators. They can speak much more and with much more knowledge, much better knowledge, on what needs to be done than I can. I can talk about the process, but what needs to be done in the classroom; there are people over here who has a lot of knowledge on that.

When you've got the former president of the Newfoundland and Labrador Teachers' Association here on this side, the Leader of the Third Party, who can say I can give great suggestions to help out this process and you're saying – the government is saying no, we're not going to have you involved. We're not going to show you that report. We're not going to have you participate in this discussion with the full information. There's something wrong.

I know the Member for Bonavista, the same thing; he has great insight on the education system. He speaks well on the education system. I know there are Members opposite also, on the government side, who has insight on the education system; but if you want to look at the expertise and if you really want to build a system that's best for the students, you take all the information, use all the expertise available to present a bill in this House that we all can support so that when we leave, we all stand up and agree to that bill, then we can say, yes, that's the best we can do. But right now we can't say that. We just can't say it.

Then the question is going to be asked: How much money are we saving? Are we going to eliminate the whole board? Are they coming into government? Are they all going to be brought into government? For example, the site out in Western Newfoundland, are they now going to be government officials? Do they have to come to St. John's or will there be a satellite out in Corner Brook? Will they have decision-making out in Corner Brook or will no decision-making be made in Corner Brook now and got to go in through the system, go through the director, go up now to the ADM, go up to the DM and go to the CEOs, to the minister on something that needs to be done in Lark Harbour for a special needs student? Is that going to be the system?

These are the questions that we're asking. This is the question I'm asking because I just know when you need a decision quick and by the time it goes up and comes back down and gets down and everybody changes it and filters it, needs new information, needs a press release on it, needs a media release on it, the poor students suffer. That's my concern.

I use government again for example. Mr. Speaker, they're talking about the advisory committee. Guess what? The WERAC – the Wilderness and Ecological Reserves Committee – haven't met. They can't even get members on the board and they're the

ones here who are going to be looking at the wind power. They're the ones now saying, okay, we'd love to be able to have some great input into this. That's an advisory committee to the minister. Where are they now? When was the last time they met? How many times do they meet in the run of a year?

So when you put a committee in place that's supposed to be advisory who has no teeth, who has no input, who can't hold government accountable, there is going to be no accountability whatsoever for the CEO which will be the minister.

Now we have to sit down and listen to whatever the minister says. He could stand up and we will never find out if it's true or not true. He will stand up and say, oh, the committee recommended that. Now, the committee can't speak. The committee recommended that.

The same as the school in Portugal Cove-St. Philip's – the exact same thing. Until this email was sent out, everybody in the Province of Newfoundland and Labrador, especially when the former minister of Education went public and said we did all the priorities of the school board – he's correct. He did do the three priorities. But what he forgot to add is that we added one in the Premier's district up there where the Premier's at without proper vetting and proper consultation and without even a request from the school board.

P. LANE: Not even on the list.

E. JOYCE: Not even on the list. Didn't even go through the proper vetting system in government for it. Didn't even go through it.

This is very important, Mr. Speaker, when the government stands up, that it's all we're doing, we're just going to eliminate the school boards and put an advisory committee. How is the advisory committee going to be selected? How's it going to be selected? There's no talk on how the

advisory committee is going to be selected. What if the advisory committee makes the recommendations, do they have any teeth? Will their recommendations be followed?

P. LANE: Will it be public?

E. JOYCE: Will the recommendations be public?

Ask the questions because I can tell you, I'm not worried about the bureaucracy of it. The minister could stand up and say, here's what we're going to do; we're going to save this money. He hasn't said it yet. We're going to improve the system. He didn't say how we're going to improve the system. We're going to speed up any decision-making. He didn't say how they were going to do it.

My concern are the students that need the extra resources in the District of Humber - Bay of Islands who are not going to be able to get it because now someone in St. John's in making the decision instead of someone on the ground who could walk into that school, do a review of the situation right then and there, make the decision, go back and get the decision made ASAP because they need to. Now it has to come back up the line, back into St. John's, take it to St. John's, get something done up just in case it hits the media, take another few days to prepare just in case it hits the media, bring it down the line, and by then how long will that student need the assistance that never got it.

That's what I'm concerned about, when you bring it down to the human side. Because we're going to crunch the numbers later. I know back when they were going to consolidate the boards and bring in one board they said it was going to be a big savings. The Member for Mount Pearl - Southlands was correct; it cost more.

These are the decisions that the government is making without proper consultation. I can assure you – and I think

the Member for Burin - Grand Bank said the school councils works well in some schools, and you're right. I can guarantee you, the school councils I spoke with didn't even know this was going ahead. Didn't even know this change was going ahead.

We want to have a proper discussion so that we can know the pitfalls and the positive things with this proposal. The Member for Burin just stated that some of the school councils work well. I agree. They do. Wouldn't it be beneficial if we went out to those school councils and said, look, here's what we're planning on doing, what are your ideas? Because if they're working well in the schools now, they would know the best way to improve the system, because they're doing it now.

By not having any consultations with the school councils – the government now just said the ones that are active are doing great, but now all of a sudden, thanks for your hard work, see you later, have a nice day and we don't want none of your input into these changes. What you're going to do, you're going to discourage the active school councils in the Province of Newfoundland and Labrador not to stay involved because they're going to say what's the use; they're going to tell us what they're going to do anyway – what's the use?

I say to the government, in closing, Mr. Speaker, if we're going to go off and make this decision and you say it's better for the students, let's show how. If you're going to say we're going to save funds, let's show how it's going to happen. Let's put out the details of it. Let's have the details laid out so we all have a frank discussion.

Because I can assure you – and I know the government knows this, but it's politics. If there is something that's brought to this House and if there's input made into this House of Assembly, where everybody had some input and they said, yeah, that's a great decision, you would get every person

standing on their feet and voting for the bill. But you need consultation, not ram it down their throats. When you dismissed the elected school board and you dismissed the Newfoundland and Labrador school education and put a school because you think one should go there, and you expect us to say trust me on this, I'm sorry I can't do it.

Thank you, Mr. Speaker.

SPEAKER (Bennett): If the Minister of Education speaks now, he will close debate.

The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Speaker.

We've certainly had a robust romp across pretty well every topic within education. This is a fairly narrow bill. It's designed – and I'll draw a line – to integrate the skills, capabilities of the Department of Education with the school district so we can focus on the one thing that makes a difference, which is getting the students educated in the best and most up-to-date way possible, whilst allowing the front-line teachers the flexibility to deliver the curriculum.

A lot of the issues raised initially, for example, by the Member for Bonavista are actually hot topics within the department but they don't fall under this act. Teacher hiring is a collective agreement, the issues he referenced there are all around the collective agreement. I can't really say more than that for fear of inserting myself into a process that's actually ongoing. Both sides are at the table and it would not be appropriate for me to comment any further around that.

TARC have made their position quite clear there. He did reference some issues with, which I concur, but they don't fall under the Schools Act, they fall under the teacher training and certification act, and I agree that act needs revising as well. It makes

sense to do that. I don't see the next revision of the Schools Act, or the repeal and replacement of the Schools Act, necessarily dealing with those certification issues because it's a separate, stand-alone piece of legislation.

The next three or four speakers really all focused on resources. The issue about resources for education, as Members opposite know, is through Estimates and the budget process. I have some ideas that my staff and the Integration Board and Integration Team have brought up and that may have budgetary implications. Obviously, that has to be done as a whole of government thing. Personally, I feel they are really high priority, but, again, it's not my decision solely.

A Member opposite did raise the issue about medical practitioners. What that does is, there's a piece in the act already that stipulates who can provide those assessments. There is a mechanism in place; that mechanism will not be changed. All this simply does with a change in wording is to expand those practitioners able to provide that report so a teacher in the process is not waiting for one named discipline to provide that report.

We've opened it up, consistent with what we've done, for example, with the scope of practice for nurse practitioners and those people for whom their scope of practice would allow them to do that.

From my point of view, again, I look forward to the questions in Committee. I have to say, a lot of what has been discussed, however, important as it is, does not actually fall within these amendments.

I would urge the House to support the bill.

Thank you, I'll take my seat.

SPEAKER: Is the House ready for the question?

The motion is that Bill 7 now be read a second time.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

CLERK (Barnes): A bill, An Act to Amend the Schools Act, 1997. (Bill 7)

SPEAKER: This bill has now been read a second time.

When shall the bill be referred to a Committee of the Whole?

S. CROCKER: Now.

SPEAKER: Now.

On motion, a bill, "An Act to Amend the Schools Act, 1997," read a second time, ordered referred to a Committee of the Whole presently, by leave. (Bill 7)

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Speaker.

I move, seconded by the Minister of Education, that this House resolve itself into a Committee of the Whole to consider Bill 7.

SPEAKER: It is moved and seconded that I do now leave the Chair for the House to resolve itself into a Committee of the Whole to consider the said bill.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

On motion, that the House resolve itself into a Committee of the Whole, the Speaker left the Chair.

Committee of the Whole

CHAIR (Warr): Order, please!

We are now considering Bill 7, An Act to Amend the Schools Act, 1997.

A bill, "An Act to Amend the Schools Act, 1997." (Bill 7)

CLERK: Clause 1.

CHAIR: Shall clause 1 carry?

The Chair recognizes the hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Minister, what consultation has taken place on this?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much.

Some of these predate me, but my understanding is that pretty well every major stakeholder: the Federation of School Councils, school districts, I know I've had discussions with the NLTA around this. I don't know at what level, other than the deputy minister, those consultations would have taken place.

I do believe that the other unions are aware of this but, again, I can't speak directly to how frequently those consultations would have taken place, for example, with NAPE. My understanding is it's been a fairly broad church, as it would.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

The interim board and Transition Team were announced a year ago. Can you provide an update on their progress?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Certainly, yes.

The board directed the formation of some Integration Teams to look at particular areas. There's policy and development. There's an Indigenous group. There are groups that are looking at some of the more mechanistic things around payroll reporting structures and those kinds of things. On the advice of those teams to the board and to my staff, that was why we've adopted this approach here.

There are some more complex issues that will require some collective bargaining resolutions. There may be some representation rights, these kinds of things, that will take a bit longer to work through. The other piece is around what commonalities and back-office function we can take out and maybe share across the department, or maybe take out and share across government.

So those are going to be slower down the road. But we're looking at potentially moving people from the district offices into the Department of Education, as early as January depending on when my colleague in Transportation and Infrastructure can sort out some space issues.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, why was the Francophone school district untouched? Why is it not being changed like the English School District?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Chair.

They are constitutionally protected and the wisdom of legal advice was to leave this group alone.

Thank you.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Is there a legal opinion you could table on that, Minister?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: I've gotten myself into a slightly warm water, if not hot water, in the past by referring to legal opinions. The mere existence of legal opinions is technically a breach of solicitor-client privilege, so the short answer is no.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: He's been in hot water for a lot more than that.

Why are these changes even necessary if the English School District board is coming into the department?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Chair.

I think we heard a lot about resources and saving money and this kind of thing. I think really the synergies of bringing policy development and curriculum specialists sitting in a department in West Block and a similar department of similar magnitude sitting in a building in Elizabeth Towers make sense. These folks need to talk together. It's about collaboration. It's about building something together and physically co-locating them.

The issues around back-office functions are at least where you will see cost avoidance. Over time whether you see cost savings depends on other circumstances. This is about getting the right value for the dollars we spend.

When I first came into government, here in any capacity, I think the Education budget was south of \$800 million. It's now \$1.3 billion. We need to use that money in its most effective way possible and this is how you do it.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Minister, could you tell us more or explain what cost savings – do you have an idea of actually how much we're going to save?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: This isn't about cost saving. To repeat my previous answer, this is about cost avoidance, at best, and efficiencies. If we can reduce the footprint from district offices, if we can consolidate back-office functions, the rate of rise of the education budget should be flattened.

We do not look at this as a budgetary exercise. There will be budgetary implications, I'm sure, whether they will be plus, minus or neutral. I'm hoping for negative; I'll settle for cost-neutral.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Under (11), section 2, it specifies the support obligation and family property that has been dealt with by a court order. What about an amicable informal agreement?

J. HAGGIE: (Inaudible.)

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Under (11), section 2.

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Those are definitions, simply spouse – is that the one he's referring to?

B. PETTEN: Yeah, family properties that have been dealt with by a court order.

J. HAGGIE: These are simply definitions around subsequent comments in the act. I think this definition of a spouse is actually a standard one across a lot of agreements, and it means what it says: A person to whom a trustee is married, unless the person and the trustee have made a separation agreement or their support obligations and family property have been dealt with by a court order, co-habiting partner. Those are fairly standard definitions.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: I'll ask the minister again, I'm talking about an informal agreement so we don't have to deal with a court order. There's such a thing as informal agreement; what about those cases?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Sorry, I missed the informal agreement. I think the understanding as I have would be this would have to be something sanctioned by a court order or a more formal arrangement.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Clauses 16, 17 and 18 deal with attendance of children at school. Several questions I have there. What's our experience now?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Certainly I don't have up-to-date data. On any given day, according to reports I have read, and these are now dated probably prepandemic, anywhere from 6 to 10 per cent of students across the K-to-12 system are absent without reason. Some of those, a significant proportion of them, actually the reason is just late coming. We are looking and actively monitor those youth, those students who are persistently absent, and we're looking at collecting monthly data from the school district.

School absenteeism is a significant issue. There are policies under the NLESD and government about a graduated approach whereby the school and the school administration engage the parents or guardians of that student to work through whatever it is that's keeping the student out of school.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

What specific measures has your department done in response to Child and Youth Advocate report on *Chronic Absenteeism: When Children Disappear*?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: This is simply ensuring that those options are not dissolved by any of the changes that we make. The day-to-day operations around absenteeism are a principal school administrator to family arrangement and there is a graduated response up to and including involving child protection or law enforcement agencies.

So it would be contextual. I cannot here but I can certainly supply the Member with a link to those policy documents. I'd be happy to do that.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Subsection 19(3) deals with referral of non-attendance of a student to the RNC or the RCMP. What discussion, Minister, have you had with law enforcement about this?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much.

I couldn't speak directly to discussions with either the RNC or the RCMP. I can endeavour to find that out.

Thank you.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: I guess as a follow-up to that, Minister, do you have any concerns that the law enforcement will be too busy to deal with this because that's an issue we face now? But I guess you may follow up with that in all the one answer. Is that fine with you?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Certainly, I can't speak for law enforcement or their pressures at this point. That is the end of a long road. However, it's not the first port of call for a family who are having challenges around school attendance. Certainly, the idea in the first instance is to engage with the family and to provide guidance supports, mental health supports, physical health supports, those kind of things and the law enforcement piece really comes right at the very end.

So I would suspect, in numerical terms, this would not amount to a significant number of individuals but I'll endeavour to get what information exists in the school district about the numbers and magnitude of the issue.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Minister, I'll double this one up now, actually. Have you had any discussions with the Child and Youth Advocate or the Department of CSSD on this issue?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Child absenteeism is not altered. Our approach to this problem is not changed by anything in the act, or the amendment that we have proposed today. If the Member opposite would like a briefing on the department's approach to absenteeism, as a topic, it's certainly something very topical, and we'd be happy to supply him with what information I can on that, but this is not germane directly to the act itself.

So I think whilst the wording is included in the clauses, this is to maintain the current approach and the current framework for that approach, so that it doesn't get lost when the act is changed and the school district is altered.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, in a final point on that, and probably to build on what you said, are you worried of making a criminal referral for what may be a family or mental health or other issue? Because it's not all criminal.

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Chair, the mechanisms that are currently in place for managing absenteeism have not changed. The only reason there is a change in the act is around the wording because we have removed the title director of Education and substituted superintendent. These paragraphs, these clauses, simply make that a legal foundation so to do.

The duties of the superintendent, the policies and regulations under which that individual act in relationship to chronic absenteeism do not change. It's simply a change in the title and because of that these clauses are necessary.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Chair, under 19(2) and 19(3) the clause states a parent can request a meeting with a teacher "unless the request is unreasonable in terms of frequency or other circumstances." It also states in 19(3) that the teacher can request a parent attend and that the parent shall comply with that request.

So I guess my question for the minister is: Why is there a discrepancy that allows teachers to refuse a meeting with a parent?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: The intention there is to deal with the very occasional situation where you have what I believe my colleagues in JPS would call vexatious complaints, where in actual fact the issue has been resolved or explained, but for some reason or another the demands to the reasonable person do not seem reasonable.

So that is the difference. It's to request one meeting or two with a family but to have morning and afternoon requests of a teacher to discuss matters with a parent or a family may not, at the end of the day, be reasonable after five or six weeks. These are infrequent and that is the intention behind it.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Minister, don't you think that is somewhat subjective?

Under clause 19(14), it deals with the principal reporting if a given school does not have a school council by October 15.

How many schools presently don't have a school council this year? Have you consulted with the Federation of School Councils on this issue?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: I'm not sure how many don't; they're all supposed to have them. Yes, we have consulted with the Federation of School Councils.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

35.1(7), this clause gives the superintendent direct authority to request a medical note that a student is safe to return to school and no longer a threat.

I guess the question to the minister is how can 125,000 residents without a family doctor be able to provide this note? That's a big issue, doctor's notes today, Minister, and you're well aware of it.

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Chair, I wasn't sure the question had finished.

The short answer is this is to broaden the scope, as I mentioned in my closing remarks after second, of people who are able to provide that service, conscious of the fact that the Member opposite raised that we do not have – we have gaps in primary care.

The issue around this is, again, it enshrines further the mechanisms that currently exist. It doesn't change them. This act speaks to the educational component of it. Obviously, it's outside my mandate and ability to speak to some of the other elements.

But it broadens the number of practitioners who can provide those assessments. We would regard that as enabling and helpful.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Just so I'm clear with your answer, if you can't provide a note, what's the alternative? Because it clearly states here they want a medical note. So do you or do you not have to provide a note? I guess that's my question. That answer wasn't clear.

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Sorry for the lack of clarity. Yes, the act requires a note.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Minister, how about in rural and remote areas, many of which are on diversion from the local health centre. What do they do there?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: The same processes that have been in place since 1997 will continue until such time as either there is a need to change them or the act is substantively altered and replaced later.

This wording is simply because of the change of title of the director to the superintendent. It makes no change to the function of the act as it stands currently in regard to this issue.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: We never had a health care crisis like we do now in 1997. Things have changed a lot over the years. I mean, looking for a medical note from students, that defies logic. A lot of these businesses now are trying to find ways around medical

notes. Now we're going to have children provide them. It just makes no sense.

So have you had to discuss with the NLMA or the Newfoundland Association of Psychology on this issue?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: No.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: We wonder why we're in crisis. I mean, that makes no sense, Chair. I know it's part of the bill. That makes no sense at this day and age to be putting that in the bill. It's just mind-boggling.

Clause 37(2) deals with the expulsion of a child is recommended by the principal. So what is the definition of a reasonable period of consultation?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: That is not specified in the legislation now, nor was it before. It is a matter of context, Mr. Chair.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Is the minister worried that different principals and school boards will use different standards?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: We are working to integrate the district and the department to remove any potential for such variability. But, again, it's contextual and it relies on some degree of professional judgment. It is not for me as a politician to circumscribe the professional judgment of a principal or a vice-principal.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Well, it's up to him as a politician to bring in this legislation. That's what this is in. He's the minister responsible for bringing in the legislation. He's not the principal, I know, and he's not a lawmaker, but he's the minister that's bringing in these rules and that's what we vote on in the House. I guess you can dodge the issue Minister, but you've got to answer the question.

Have you had any discussion with the Federation of School Councils on this clause?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: We've had extensive discussions with the Federation of School Councils. I cannot speak to whether or not I – certainly in my hearing, that was not the case. Whether or not that was discussed earlier, I don't know.

This is, again, just a title change. These are phrases in existing legislation that are simply being repeated here because of the change from director of education to superintendent. There is no change in the way the act, the regulations under it or the policies around those regulations will operate after, should this be passed compared with today, where the older act wording prevails.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: That doesn't preclude us from asking question. It's in the bill, whether it changes or not, it's part of the legislation and it's what we're debating, so that's worthy of debate. Maybe it wasn't debated the last time.

Subsection 37(5), the clause allows for readmission of students who had been expelled.

Under what circumstances would a student be allowed back in the classroom?

CHAIR: I'm asking the Member for Conception Bay South to –

B. PETTEN: I'll get back to that one, Chair.

Clause 53 allows for government to appoint school board trustees through Cabinet?

CHAIR: Can I get the Member for Conception Bay South to repeat the clause, please.

B. PETTEN: Should be clause 53.

CHAIR: Clause 53.

B. PETTEN: The part that school board trustee appointed via Cabinet.

How many people will be on the board?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: The proposal is that LGIC will appoint the number of trustees that it considers appropriate. That's what the wording says.

CHAIR: Thank you.

The hon. the Member for Conception Bay South.

B. PETTEN: So whatever they deems appropriate. Excuse me for laughing but I have – will both boards be elected?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: When the Member opposite refers to boards, I assume, currently, he's referring to the school boards, the Conseil and the English school board. The English school board, the proposal here is as read out in the previous paragraph. The Conseil will continue with elections for school board trustees. I hope that clarifies the issue.

And just on a previous comment, I am simply explaining why these paragraphs appear in the act. I'm not doing anything

else when I get up. I'm not trying to cut off debate. I'm simply saying that the act amendments that we have proposed here are simply to ensure the continued ability of the transition board and the school district to function after the title change from director to superintendent. These are all consequential amendments to the one which says we will remove the post of director of Education and replace it with superintendent.

So each of these clauses the Member opposite brings up, I am simply explaining that they are there because they're there in the act, but they're under the authority of a post that we would like to change. The title is different; therefore, it has to be rewritten.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, to that point, we're bringing up this issue here and in this day and age with 125,000 people without a family doctor, you still have the requirement for a medical note. Now it's irrelevant if you put it in this legislation or it has been there for 20 years or 30 years, it's time to look at stuff like that. Seeing you have the legislation there, why wasn't some consideration given to that? Because that doesn't make any sense now. In '97 it was not the case that we have now, yet it's staying there. This was a right time to fix that. These questions are pertinent for that reason.

We're asking valid questions. That's all we're saying. We're not saying it's new or not new. We're here for debate and I think it's a valid point. We're hearing it every day and it's pertinent to the conversation.

Minister, how will you ensure parents have a voice on the board?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Chair.

I think the key here is that this is a transition arrangement. I fully expect to be back in this House – at the call of the Government House Leader, obviously – sometime in calendar 2023 with a complete rewrite. This will then reflect the process that we have worked through with the school district as it works with the department to describe a new governance model.

In terms of representation, what we have done here is that we have proposed in the act the formation of a Provincial Advisory Council on Education. This is something the Federation of School Councils are very enthusiastic about. How that would be and what that would look like will be crafted in regulation and it will, as far as I'm concerned, make sure that views of as wide a group as possible are represented to me and to the department by governance mechanisms that meet best practices.

That's the answer. The representation piece will come through PACE. The governance piece comes through the changes that we've described in removing the director's title, substituting as superintendent and removing the requirement for a particular governance structure, which as the Member opposite comments, we set up in 1997.

That act needs a whole rewrite. It makes sense to do that once the integration piece is pretty well solved, and then we can go through the issue of formally dissolving the corporate entity, for want of a better word, of the school district. That has significant labour and collective bargaining issues. That's going to take the longer piece of time. The policy, some of the curriculum, some of the data work, some of the CDLI for example, these things can be brought in fairly rapidly, and I'm looking to me colleague from TI to help me facilitate space so we can start in the early New Year.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Minister, will these Cabinet appointments go through the Independent Appointments Commission?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: This is a transitional arrangement and it'll go through LGIC.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Chair, paragraph 75(1)t) – I think I got that right. It's easy to follow.

This section deals with the mechanical safety of school buses and bus safety programs for students. So what is the current age of buses in the province, Minister?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Chair.

I know because of supply chain issues, there was an authorization issued to add one year of age to the current maximum limit. I would speak from memory, but I think it's around the 11-year mark. I may be a year either way. I know it used to be 10, which is why I think it's 11. This is to reflect the fact that school bus operators cannot physically get new machines. Now, they still have to pass Service NL inspection regardless of their age.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Minister, have you had any discussions with the independent busing contractors?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: The NLESD handles those contracts. This was their request through the department to add the extra year on to

give the busing contractor's opportunity to source their new machines, I presume. I don't know directly, because this is the NLESD's responsibility that this discussion continues as it's an ongoing annual issue.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Minister, can you explain what is meant by an appropriate bus safety program?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Again, Chair, this speaks to operational issues. The school district has standards that they require of bus operators. The bus operators operate within a framework. They have to have vehicles that meet a standard that was changed – D something or other, D 250, I can't honestly remember the exact details but that was put in place back in 2015-2016.

They also have to operate within a framework of regulations inspections under Service NL. That, taken together, is the regime. It's not a place to prescribe it in the act. It doesn't change because of the wording of this act is under review. What the wording of this amendment proposed is to line up the needs of the school district, in the meantime, having changed these titles, and it's simply a consequence rolling down of the change from director to superintendent.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Under 71(2)(z) – I think that is it. Forgive me if you're trying to follow these papers along, Chair.

The section requires the minister to immediately inform in writing if there's a vacancy in the position senior management official. So, Minister, the question there is why do you need to know?

J. HAGGIE: Which section?

CHAIR: 71(2)(z).

The hon. the Minister of Education.

J. HAGGIE: Would the Member be kind enough to point out where on this school's amendment bill he's speaking. I can only see section 79 and that's (1) through (5), and then it jumps to section 80 as an amendment, so I'm not quite sure what he's talking about.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: I'll go on to section 79, Chair, because I'm having some trouble with my bill here too. I don't know if there's something missing or anyway.

The section deals with the hiring of superintendents and senior management officials. The board must have prior written approval of the minister. It's dealing with the hiring of superintendents and senior management officials. Why is the minister directly involved?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: There is a desire within the school district and within the Department of Education to have some flexibility around what those titles should be and what the governance structure should be, as we move through this integration process. The aim is to then have a governance structure within the school district that can then literally move offices into the department, come the day the school district is dissolved.

This lines it up here and doesn't make it a task to do later. It smooths and streamlines the process so we can bring the integration process to a speedier halt. It runs in parallel with the current other actions and this is the act segment that allows that to happen.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, is this part of the amalgamation of the board into the department?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: This is part of the integration of the school district into the department. The board of trustees is a separate issue from this. This is the governance around do you have a director or a VP of finance and corporate affairs; do you have someone responsible for HR; how you put that organizational chart together.

It is designed to give flexibility but it's also designed that, once that form is agreed, there is some legal power behind carrying it on.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, to avoid the fiasco we have with the former Francophone CEO, will you require these positions to reside in the province?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much.

I hear that the new director of education for the Francophone school district was in the department last Friday and was a real enthusiastic participant in the discussions of the day.

What I do know is that there is a new board chair. The board of the CSFP have been significantly replaced, just by natural turnover and there is a brand new director.

The issues around audit that the Member opposite refers to will be addressed through the internal mechanisms of CSFP, both the new chair and the new director are keen to

make sure that they align with best practices in government policy.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

What about the expenses, Minister, we saw the lavish spending in the French school district. Is this going to be stopped? Are there checks and balances in place to stop this, this time around?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: I can do little better than repeat most of my previous answer.

The new chair and the CEO, executive director and the new director are all on the same page about making sure that their expenditure and their policies align with government and are open and available for scrutiny. So I think that is an issue.

From what I gather, I've spoken, as I say, to the new chair and the CEO on several occasions and they are really committed to dealing with this. So, yes, is the short answer. I believe they will fix their own problem.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Minister, the Comptroller General's review into spending of the French district was announced in April 2021. Is there any update on that?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: I believe the Francophone school district, actually, may have issued a press release on that report quite recently. I would direct the Member opposite to the chair there or their staff to clarify that point properly for them.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Under 95(1), this section deals with the composition of the French board which will be elected. So I am going to ask why is it only one board being elected, Minister?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Speaks to one of the earlier questions, Chair. The Francophone education system for native Francophones is constitutionally protected. So this is the mechanism that they will use.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Under clause 101.1(1), this section gives the minister the right to set pay scales for the French district employees.

Minister, are you aware of any employees who were paid more than the established scales?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: My understanding is that we go for a line item in Estimates and that the decision about how that is allocated for salaries amongst those groups is made by the Conseil, as an operational decision with the board.

In terms of awareness of their actual pay scales, I couldn't speak to that directly. Again, it's not germane to this piece of legislation. Happy to provide the information for the Member opposite, independently.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: It's all germane, Mr. Chair.

101.2(1), the clause allows for the adjustable of salary for French district staff. Can the minister explain the background for the need for this clause and, Minister, were the payments made outside the collective agreement? Why is this clause there for adjusting salaries? Shouldn't this be done under collective bargaining?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: I would certainly check with my staff, but my understanding is that their requirement is to line up with government management pay scales. I don't believe they are subject to collective agreements, but I'll certainly go back and check on that.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Under 116.1(1) allows for the establishment of a Provincial Advisory Council on Education, which we know is PACE, of course.

Will those recommendations from PACE be bonding?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: It's an advisory council and it's set up that way. The terms of reference have not yet been decided, nor has the process for appointing this group. That will come under regulation, should these amendments pass. So I can't answer that question directly.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Minister, will you ensure gender, geographic and Indigenous representation on this board?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Yes.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Under 116.1(2), the clause says members of the Provincial Advisory Council on Education will be appointed in accordance with regulations.

So where are the regulations? Do we wait for those?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: The regulations have not yet been drafted. They require a term of reference. I think that might be putting the cart before the horse. We haven't got this passed, nor have we worked out the terms of reference yet. So the regulations would flow from that. That's the sequence there and that's about as much as I can say on that issue just at the moment.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Thank you, Chair. Will the House get to see those regulations, Minister, before they are enacted?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: The regulations will follow the normal process of gazetting and then they'll be available for public scrutiny.

CHAIR: The Member for Conception Bay South.

B. PETTEN: So the House won't get to see the regulations, which is a very normal process.

How will the members be selected, Minister?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Again, bearing in mind the previous answer I gave, there will be gender balance, as far as possible, there will be

Indigenous representation and there will be geographical representation.

It needs also to have the focus that these are voices that are actively connected with school council level activity. That is what PACE is about. We need that as a kind of lived experience foundation. I would think for all of those, it will be specified in regulation and it will obviously relate to the terms of reference.

CHAIR: The Member for Conception Bay South.

B. PETTEN: Minister, will they go through the Independent Appointments Commission?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: That has not yet been decided. It's based on terms of reference. One of the challenges about this is simply that we want that balance of actively engaged school councils, parents – this kind of thing. So the terms of reference will actually guide us in how those appointments will be made, and indeed what those appointments should look like both in terms of quality and number.

CHAIR: The hon. the Member for Conception Bay South.

B. PETTEN: Thank you, Chair.

Will the stakeholders like the NLTA and the Federation of School Councils have a voice?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Again, the Federation of School Councils love this. I don't think that's an exaggeration to say that. The NLTA piece is a little bit different. They have direct mechanisms into the department currently, and they are a different set of stakeholders. This Provincial Advisory Council here, as it's envisaged at the moment, is about

grassroots representation. Should the terms of reference feel that it should be something different, then obviously that's a discussion yet to be had.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Thank you, Chair.

Chair, I ask the minister if he will release the consultant's report and table it in the House.

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you, Chair.

I know the Department of Education is a big department with lots on its plate, but I don't have control over Cabinet documents, nor do I have the ability to influence what is regarded as advice to Cabinet, so it's outside my mandate. I can't answer that question.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Thank you, Chair.

Is this report being used to guide the changes that we're seeing taking place now?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Again, Chair, I can't speak to the discussions of Cabinet within those doors. It is an accepted tradition, precedent of the Executive Branch that Cabinet confidence is safeguarded. It is not my job as an individual minister to opine, change or arbitrarily do anything with that. So again, I don't have the ability to answer that question.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Chair, I would respectfully disagree with that because I'm not asking

for any information about it. I'm asking that as the Minister of Education, this consultant's report that was prepared, is that guiding the changes that we're seeing placed in this legislation. That's a simple question. If indeed that's the issue – it's not – then we have bigger problems here. But it's a simple question: Is this report being used as a guide to guide this process as we transition?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Again, Chair, I kind of, in a way, understand where the Member opposite's coming from, but he's asking me the same question in three different ways, and the answer is essentially the same. I do not and will not speak to the processes that go on within Cabinet. It is protected by Cabinet confidence.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Thank you, Chair.

I'm not even asking about the processes that go on in Cabinet; I'm asking about the processes that are going on in the Department of Education as we speak and what's guiding them. That's what I'm asking. Because otherwise, I'm trying to figure out here how did this process come about.

The minister can dodge that if he wishes, Chair, but in the end I'm not asking for what guides Cabinet; I'm asking here what is guiding the minister and the Department of Education as we go forward. I guess that question will remain unanswered.

A quick question then: As we move forward – as it becomes integrated, where will teachers stand? Are they employees then of a school district or are they employees of the department?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: The governance structure has not yet been defined. It's part of this integration work between the department and the school district. They will become employees of whatever mechanism emerges from that. The NLESD at some point, ideally in the not-too-distant future, but at some point, will cease to exist.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: So a question then, if this at some point will cease to exist, then what is the minister's vision for this? If the district ceases to exist, will teachers then be employees of the Department of Education? That's the question. I need to get that straight, please.

CHAIR: The hon. the Minister of Education.

J. HAGGIE: This is not solely an Education Department decision alone. Obviously, we will provide advice to Cabinet.

Beyond that at the moment, what my preferences might be are again subject to some circumscription by the fact that we are actually in collective bargaining with the teachers at the moment. Any statement I make as minister will have potential to be regarded as circumventing the good faith bargaining process that my colleague, Finance and President of Treasury Board, is engaged in.

So I'm going to leave that question on one side because it is stuck in collective bargaining. The Member opposite knows, from his days in the NLTA, that any statement that he's made directly to speak to the ins and outs, the bits and pieces of collective bargaining, can and could be used as evidence of bad faith.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: So we can't discuss the plan because it is a Cabinet document. We can't

get an answer to the question as to whether the teachers are going to be employees of the department because that's not solely a Department of Education decision. Now it's a collective bargaining issue.

Regardless of who the employer is, Chair, there is always going to be an employer of teachers. This is not about the nitty gritty of the collective bargaining, and I would suggest that he is clouding the issue a little bit here. It's a question of who are they going to be employees of, and I'll give you the reason.

It comes down to, as a teacher, certainly, they have the ability right now to speak out on government decisions; to challenge the spending priorities; to challenge and openly criticize the direction that government is making on education. When you become an employee, then there's that certain duty of fidelity there. That is what I'm asking about. That's where I am going with this because right now this is clouded in mystery. I don't know if it's a question shrouded in an enigma, covered in a mystery – it's just unfathomable what we're doing here. So here is a question. The minister has said that it's not about cost savings but about cost avoidances. He said that here tonight. So I'll ask the question then. I'm not worried about the savings but what are the projections, the costs that we're trying to avoid, and has there been a projection as to what this would be in the future? What is we're trying to avoid?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thanks very much, Chair.

It's great; actually, the Member opposite mentioned the key piece here. We're never going to not need teachers. We need teachers in the classroom. This is what this is about. At the next level, it's about giving them the freedom to use the skills they were taught and trained within the context of a curriculum.

There is a plan. The plan is under evolution. This is part of moving towards that evolution. In terms of cost avoidances and cost savings, that will come out of the governance model that we see, when collaboratively working together, the Department of Education and the school district look at their operations and say, well, what common threads do we have here that we could amalgamate fully within the department or across government and, by doing that, the rate of rise of costs will be slowed or contained. That's what I mean by cost avoidance. If you can keep your budget increase each year lower than inflation, then in real dollars you're actually not spending any more. It is not, however, a costing exercise. This is about getting a system that is flexible, that is nimble and responsive to the needs of students.

The one thing we've seen in the last three years, if nothing else, the only constant that any of us have had – and we need to bring up our youth and our learners with that in mind – is change. None of this is going to remain the same. The challenge that we've got here is to craft some interim steps, which I think we've done, which will take us a bit nearer that. The bit nearer will be another substantive rewrite of this act to maybe even calling it something different, like an education act, who knows?

But my colleague down the way, when he sat in this portfolio, started the process with amendments brought to the House last year. A year ago, in actual fact, I think it was debated. Now, we're moving a little bit further on here. But the bottom line is we're always going to need teachers. We have got some of the best-trained, masters-prepared teachers in the country.

What we need to do is improve our exam and our outcome results and our assessment results so that, at the end of the day, Newfoundland and Labrador students are the best. You know a graduation diploma from Grade 12 in Newfoundland and Labrador is as good as you can

possibly get in Canada. It generates whatever you do next: an ability to learn independently, if that's what you want to do, to go into a trade or an applied degree and to continue that through your life. That's what we need to do.

Bringing those policy and curriculum people, bringing those students support services all together in one place avoids duplication, miscommunication and everybody's on the same page. At the end of the day, that alone will generate significant benefit for the students.

Yeah, we're always going to need teachers. No, it's not about the money; it's about the outcomes.

CHAIR: The Member for St. John's Centre.

J. DINN: I am totally confused because I asked what are the costs that we're trying to avoid?

Last year, we were told, when this was first announced, when I asked a question: What are the plans? What is the cost-benefit analysis? What are you hoping to achieve? The comment was more or less, well, we'll know better when we get into the process.

Where we going to go, Dad, in the car? I don't know, we'll know when we get there. Now, that's all right for a family excursion, that's all right when you're looking at changing around the whole governance structure. Do you know what? That's a good point, because if we don't have a plan we'll never know when we're there, if we ever get there.

But the thing it comes down to is this – and this by the way is not about the best teachers. There was nothing in my question about having teachers, because I can tell you that as a teacher, in my 32 years as a classroom teacher, another four years in the association, every time there was a political announcement that how this is going to benefit the classroom, Chair, it never really

panned out. It never really panned out the way that the teachers expected. There's always a promise that more resources are going to go into the classroom – always. The promise was far different than the actual reality.

So now I've asked the question, here we are, we're now a year into this at least, more than a year really, and the question I'm asking is, I'm hoping at some point here that we can see where it is we're going. So it's not a case of well, we'll know when we get there. I just needed some idea.

So the question I'm asking is that I'm assuming there's some cost-benefit analysis. I'm not asking about the savings but I'm looking at what are the costs you're trying to avoid? Is it the rental of the buildings? Are we closing down buildings? Is it that we won't need as many of the duplication of personnel? I'm just trying to get – is there a fear what we're going to have – maybe it's going to cost – when it comes to procurement. I'm just trying to find an idea of what it is, Chair, the cost, the anticipated cost that we're trying to avoid. That's the question I asked and I'll ask it again.

What are the – not the savings, but what are the costs exactly that we're trying to avoid? Surely to God by now we must have some idea of that much.

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you, Chair.

Again, this is done with a goal in mind. The goal is, at the end of the day, there will be one body responsible for, in this situation, K-to-12 education in this province, not two. Not the department carrying the can. Not the school district trying to run operations and that mismatch between the two. That's where the end goal will be. There will be one department responsible for K-to-12 education. The plan is it will be the

Department of Education. The NLESD, at some point, will cease to exist.

In terms of what efficiencies, what cost avoidances you get, that will be contextual. If it is decided, for example, that all payroll and back-office functions would be melded with provincial government, then that is an expense that Treasury Board and Finance would take on and it would disappear in large part from our budget.

Again, there are significant savings with consolidation of IT, for example. We can't do that as a government with outside entities. We need all sorts of complicated agreements and there are all sorts of legacy systems out there. Some we'll have to keep because they are unique to education, others are not. So the answer to the question is it will come out over the course of subsequent Estimates, the answer to the Member's question.

But the plan is quite clear. It is a complete integration of the school district operations, the school curriculum and policy development with that of the department so there will be one entity involved in education of K-to-12 students.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Thank you, Chair.

I still think, here, we still haven't heard a number. You start a renovation on your house, you do a budget. If you're going to do something to make it more heat efficient, you're definitely going to look at the cost benefit of this, okay, here's what the project costs are if I don't and here is what is going to happen if I do.

So at least what I'm getting here is that there is no such analysis and no real understanding of where we're going to go; fair enough.

So the question I will ask then: Will this mean more teachers in the classroom? In addition to their doing a wonderful job, I have no issue with that because I was one; I know all my colleagues did a much job than I did. But will this mean more teachers in the classroom? Will it result in a better budget for the replacement of SMART Boards so teachers have the technology that they can use? Will it result in more human resources, whether it is TLAs or it is student assistants or whatever else?

If it's about allowing teacher to be the best teachers possible and to focus on that, I'm trying to get an idea of how exactly this is going to take place, because, obviously, if the minister is telling me that here, then he must have some idea or his department must have some idea of how this is going to play out. So line it out for me because we have been told as teacher many times: This is going to benefit you.

Tell me exactly how this it is going to benefit. Smaller classes? More equipment? What?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Chair.

The Teacher Allocation Review Committee made 90 recommendations and a significant number of those were around HR resourcing, hiring practices, those kinds of things. They're out there; I'm sure the Member opposite has read them.

These are not addressed in this. They are addressed by a separate mechanism, which is through collective bargaining. As I've said, we are in a bargaining freeze, bargaining period, so my ability to comment on that is severally constrained.

The fact is that we need to look at how to deliver things in terms of education. That was raised in the TARC report. That is little comfort for the Member opposite. But again, from the department's point of view, I have

to separate those because this act amendment here today is very localized, and the discussion that we've had here around collective bargaining is outside this act. The discussion we've had here around resources is outside this amendment. It's budget and it's collective bargaining.

I know the Member opposite is passionate about education, and you can rapidly run off in to all directions, but I think it's only reasonable to point out that we have a fairly narrow set of amendments here which are consequence upon four or five pillars. Much as I would be happy to engage the Member opposite, it's difficult for me to do that when, to some extent, the minutiae of those arguments are tied up.

I don't have control over the budget process. That's Estimates, it's the House, it's Finance and it's Cabinet. I don't have the ability to comment currently on hiring practices in any great detail or collective bargaining. Because if I do, his successor, as president of the NLTA, would be able to come back to me and accuse me, as a representative of Cabinet, particularly Minister of Education, of bargaining in bad faith. That will not happen.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Chair, truly, collective bargaining – I did not bring up collective bargaining; the minister did. I asked what are the anticipated costs we're trying to avoid, and then I got a long, convoluted answer about collective bargaining and teachers and so on and so forth. I didn't bring this up, but somehow it's turned around that I'm talking about it. No, I asked a straightforward question on this. It's a simple thing.

We can turn this into a collective bargaining issue and hide behind that all you like, but that's not what I'm asking here. I'm not asking about what's in the next collective agreement or what is the student-teacher ratio or so on and so forth. What I'm asking

here – the minister has also made it clear that while it's a localized, narrow piece of legislation, it's the minister who, on several occasions in the debate so far, has made reference to the fact of how it's going to benefit teachers. He's made that point, Chair.

I'm asking how exactly then in his mind, since he brought it up, is it going to benefit teachers? If the rationale here is that he – I didn't bring that up; he's made that clear several times throughout this afternoon. How exactly is this going to benefit teachers? Other than some about how it's going to learn that we had the best teachers and they're going to be able to practice within their scope, I don't know what that means.

I know what it means personally to me but I want to know how is this narrow, localized piece of legislation going to make the lives of teachers better? Which is clearly what he's said several times; he's pinning his main argument on that.

I would ask again: How exactly will this benefit teachers?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Chair.

I think we're kind of going around in a circle or spiral here. The Member opposite referenced would there be an increase in resources for teachers; he mentioned TLAs and he mentioned IRTs in the preamble to the previous question. Those are all issues that relate to the Teacher Allocation Review Committee. They are directly tied in to hiring practices; they are directly tied in to collective bargaining.

I will not be drawn by clever words and sophistry into stepping into that bog in this particular moment. There is a process around collective bargaining; it is protected from perceptions of bad faith. It will not be me who gets lured into that quicksand by

the former president of the NLTA at such an interesting time.

CHAIR: The Member for St. John's Centre.

J. DINN: Thank you, Chair.

I always thought that the collective bargaining agreement for teachers was there to protect teachers. Now I find out it's actually there to protect the minister. Pretty good.

Now, let's move on. The question I have to ask is this: It's made very clear in the testimony of the CEO for the English School District that when going to the department there was a culture of don't ask for more, it's pointless. That's the culture that the chair of the English School District said when it came to looking for the extra resources, any extra resources that they needed to meet the needs of students.

I'll ask the minister: Is that culture of don't ask for more, it's pointless, still there in the department?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Interesting phraseology, Chair.

What I can say is there is an open channel of communication between the department and the school district at a variety of levels, from manager all the way up to CEO. I've met with the CEO. My door is open. If he or any of his senior staff feel they need something, all they have to do is pick up the phone.

What I can do in response to that is not always entirely under my control. If I can be of assistance, happy to do so, but at the end of the day, I live in a Cabinet, in a government that faces certain challenges and I do not have a blank chequebook. So we need to bear in mind what those asks are. The door is open. I would argue that the main focus has to be what would be the best outcome for this dollar or that dollar in

terms of the students that we are here to serve.

So the lines are open. I can't speak to what went on before. I've had no such comment made to me that way, directly or indirectly, through the CEO or through others.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Chair, unless that changes, you can have the rhetoric of an open door, pick up the phone, whatever else – it's been said by many, many ministers and it continues.

The fact is, unless that changes, the changes we're talking about today are not going to have any impact whatsoever. In other words, whether there's a district or whether there's a district brought in under the department, or whether it's just the department, it matters not to the teachers out there, it matters not to the students they teach, it matters not to the parents if that culture hasn't changed. Because all we've done is we've just eliminated the conversation now.

Instead of the CEO or superintendent going to look for resources and having the department say, no, I'm sorry, operate within your budget, we've just eliminated that conversation really. That's all we've done. What I'm seeing here is there's no real – I have yet to hear to anything significant in the way of change or what this is going to mean.

With regard to the Newfoundland and Labrador Federation of School Councils, what will happen to the Federation of School Councils in this transition phase and as we go forward? Will it exist? Is it being disbanded? What's the future, short, medium and long term?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you very much, Chair.

We've met with the Federation of School Councils on multiple occasions. I've certainly met with them and they are very enthusiastic about this. We have in no way determined anything beyond the fact that we will have PACE. What happens with the Newfoundland and Labrador Federation of School Councils is down to them in large part.

So from my perspective, I'm focused on what's in this act, not what's outside of it. They are very supportive of these changes and I take that at face value. I'm a little saddened, in some respects, that when I answer a question honestly, bearing in mind the difficulties of the current situation, the Member opposite just doesn't seem to believe me.

I am, as a sworn Member of this House of Assembly, committed to deliver the truth to this House. I've been doing that and the fact that those comments do not seem to be received in that spirit is very distressing, Chair.

CHAIR: The Member for St. John's Centre.

J. DINN: Chair, when I can't even get an answer to the most basic budgetary, then I'm sorry, I'm a little bit mystified. Now, even here in this plan – because this is a major shift – we're not sure what the role of a democratic organization like the Newfoundland and Labrador Federation of School Councils is going to exist.

So with the advisory committee, I'm just wondering here what happens then if they profoundly disagree with an action. Or let's say they offer advice because it's an advisory and the minister decides to go off in his or her own direction. What alternative would they have under this new legislation? Do they have the ability, for example, to issue a dissenting report to make an issue public, or are they for all intents and purposes, muzzled?

CHAIR: The Minister of Education.

J. HAGGIE: Thank you very much, Chair.

The terms of reference of the committee have not yet been written. If this amendment is passed, enabling us to constitute such a group, then obviously that would be included in their terms of reference and would be addressed in regulation. It is not covered in this amendment.

CHAIR: The Member for St. John's Centre.

J. DINN: Is there an intent then, at some point, where it says the advisory committee is indeed – it's going to be selected by, I think it's the Lieutenant-Governor in Council. As we move forward, is there an intent then to have this sort of an elected set of trustees.

I heard and I want to hear it again here: What is the intent on the road? Is this always going to be appointed? I know from what I understand from the minister it's an interim, but I'm looking down the future. What does the minister envision since he is the one basically driving this department. What is his vision? Is there a vision? Does his vision include a council similar to a board of trustees that operate independently and are elected by the community?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: That's a discussion to be had again with terms of reference, as the Member opposite referenced. This is for now.

There is more legislation coming in the light of discussions that we have. PACE and the Newfoundland and Labrador Federation of School Councils are happy to hear their input on what we think we should present to Cabinet. Certainly, the terms of reference will stipulate about membership, will stipulate about terms and will stipulate about how they get there.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: I guess for one last question then: What is the anticipated benefit to students and their families in this process?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Thank you, Chair.

Consistency across schools and a degree of autonomy for school principals to tailor elements within the curriculum framework to suit their particular demographic. It is solely focused on the student. The issue around teachers, the issue around governance and the issue around resources are all to be altered, amended and managed with the aim of improving the outcomes of our K-to-12 system.

We have students who are great on content. Currently, they do not do as well in areas of critical thinking and higher learning for want of a better phrase. So that consistent approach, the synergies between policy and curriculum people within the department and those at a more operational level within the department, will actually yield benefits there.

This is a long-term change, medium-term change for our students. I'd like to start being able to measure the outcomes of these changes as soon as we can. We have some data. We need to get metrics and then I'll be able to answer that gentleman's question over the course of the next few years and say, here, look these are PISA scores, these are our outcomes. This is placement of students once they leave the K-to-12 system.

So that's the focus and that's our goal. This is just simply the next step on that journey. We've not arrived, one could argue we're not even halfway there, but that's where we're going.

CHAIR: The hon. the Member for St. John's Centre.

J. DINN: Okay, that was my penultimate question; this will be my last question, maybe.

Is it then fair to say what I heard is that the rationale for this change was that there was a lack of consistency across schools, there was a lack of autonomy for principals and there was a lack of synergies between policies and curriculum? Is it then the assumption that the district was, in fact, standing in the way?

CHAIR: The hon. the Minister of Education.

J. HAGGIE: Again, those issues that the Member opposite raised are all part, to some extent, of the desire for integration. In any area where the one is more of an issue, then the other is open to discussion and debate. The facts are what we have been doing for the last 25 years has not moved the dial. We need to move the dial.

This, in the view of the experts, the educators, is the way to do that. I suspect that the answer to the Member opposite's questions will only come with the passage of time, but there is a mix of reasons behind it. To pick one over another would simply be to miss the bigger point: that what we have been doing over the last little while, possibly over the last 20 years, has not moved the dial. We need to move the dial; advice from professional educators says this is a way to do it.

CHAIR: The hon. the Member for Humber - Bay of Islands.

E. JOYCE: Thank you, Mr. Chair.

I'm just going to have a few words here about this issue. I just wanted to put it on the record.

Right now, we're going to change the CEO to superintendent. Once you change to superintendent, the superintendent is going to be moved under the Department of Education. Once he's an employee of the

Department of Education, he can't speak up like the CEO of the school board can.

So here we are going through a process that the minister admits he has a consultant's report. He can't discuss it because it went to Cabinet. You can't tell us how this was guided and why this is going to be done, but yet here's the process we're going to go through. Here's a consultant's report. It wasn't even given out to the public, was brought right to Cabinet so we can't talk about it.

I know the Leader of the Third Party, the Member for St. John's Centre, asked what's guiding this. Why are we doing this? How is it going to be beneficial? Oh, well, we know because we got this report but we can't show you.

Then the other question that was asked is about the finances. He said, well, no, no, no, this is not about the finances. Earlier, it was about it, so the finances don't get any higher but now it is not about the finances.

The question is about the employees. They're going to be government employees. Well, the people from the West Coast in the school board have to come to St. John's. These are the questions that we can't get answers to, but yet we have to support this to give them the first step of moving people inside the government so they can't talk about it.

I use, again, the school of Portugal Cove-St. Philip's. They did that with an elected school board, with a CEO answerable to the elected school board. They go off and put a school up in Portugal Cove-St. Philip's without any consultation with the school board. Now, they want the people of this province to believe that we'll have consultations and we'll listen to this advisory committee. It's a tough sell. It really is a tough sell to put through.

The other thing that was brought up is any question that we ask you come back: oh, we

can't talk about the teachers; we can't talk about any other part because of negotiations. I agree with the Member for St. John's Centre. He never brought it up. These are legitimate questions that you're asking before you approve something in this House. When you can't get any answers with any clarity, it's pretty hard to say that we agree to this.

I can tell the Members opposite on this side what's going to happen later on in 2023 when they bring the other part of the bill in. They're going to say: Well, you guys voted for it, what are you talking about? Even though there is no information put on the table; you can't answer the questions. You can't answer it or you won't answer the question.

Hiding behind a consultant's report that's in Cabinet without giving it to the public domain and saying we can't say anything that they put in their recommendations – we can't talk about none of that but here's what we're going to do – it's just wrong. Especially if you wanted to do what's best for the students of the Province of Newfoundland and Labrador.

I'll take my seat on that, but what I've got to say is the lack of information, the lack of clarity and the diversion of the answers that we're asking on this side, it's going to be hard to support this bill, Mr. Chair. Because we're almost to the point where you continuously hear: trust me on this here, we know what we're doing. I could look back at 10 or 12 things where you say, we shouldn't trust you. We shouldn't do it. This is another example that if we're going to do right for the people and especially the students of Newfoundland and Labrador, we should be open. We should have open dialogue.

The other question, Mr. Chair, that wasn't answered, and give the minister some leeway on this, I asked the minister will you table all the groups that were consulted. Because I can tell you, the Member for Burin brought up about school councils, I

can tell you, out my way they weren't consulted. They weren't consulted.

So when you stand up in government and said the school councils did a great job, which a lot did for their schools, a lot did a lot of activity. Then all of a sudden, you're going to make a major decision about this for the schools across the province and not consult them; it's almost like an embarrassment to them. Thank you for doing what you did, but we don't need you now.

I ask the minister, and I don't know if it's going to happen, table the list of all the school councils that has been consulted and table the list of everybody that was consulted before this was brought forward in this House.

Hopefully will get that list tomorrow – the minister can table the list – because when you bring up that people were consulted, you've got to show who was consulted and where. I know out on the West Coast, especially in my area, in the Corner Brook area, they weren't consulted.

Thank you, Mr. Chair.

CHAIR: Thank you.

The hon. the Minister of Education.

J. HAGGIE: Thank you, Chair.

To answer the last point first, although I'd be intrigued to find out if the Member opposite actually accepts it. We've consulted with the Federation of School Councils. They are the body that, as a body, represents the school councils across the province, Labrador, the Island, the zones, the regions within it. That was our point of focus. As I've said, we've had, through the department, many meetings and they were really enthusiastic about PACE.

The second thing is there will be no change from these amendments in anyone's

employer. So whoever's employed by the school district currently will continue to be so. Whoever's employed by the government Department of Education will continue to do so. The vast majority of teachers, for example, who are in the department – the NLESD and the Department of Education – actually have teaching jobs to go back to. So should they decide that they don't like any of the arrangements that come forth, they have teaching jobs to go back to. So there's no net loss to the system from these individuals.

The rest of it, I think the Member's made his point of view clear. We're not asking anybody to move. COVID has taught us how we can do things differently and use technology to overcome geography.

CHAIR: Shall the motion carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clause 1 carried.

CLERK: Clauses 2 through 59 inclusive.

CHAIR: Shall clauses 2 through 59 carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Order, please!

The Chair is recognizing the Member for St. John's Centre.

J. DINN: Thank you.

I'd like to put forward an amendment, if I may.

Chair, I move, seconded by the Member for Torngat Mountains: That clause 25 of the bill be deleted and substitute the following:

(1) There shall be a school board elected for each district.

(2) Each board is a corporation.

(3) A board shall be elected at the time and in the manner directed by the minister subject to the approval of the Lieutenant-Governor in Council.

(4) The number of trustees to be elected for each district shall be set and may be changed by order of the Lieutenant-Governor in Council.

(5) Where fewer trustees are elected to a board than the number required by an order made under subsection (4), the Lieutenant-Governor in Council shall appoint those trustees necessary in order to satisfy the order.

(6) The trustees shall elect from among their members a chairperson and other officers and the chairperson shall hold office until the next annual general meeting of the board.

(7) A person shall not be elected or serve as a trustee where that person: (a) is an employee of the department unless prior written approval is given by the minister; (b) is an employee of the board; or (c) has a contract or interest in a contract with or for the board.

(8) The chairperson or, in his or her absence, the vice-chairperson or a chairperson elected for that meeting shall preside over meetings of the board and of the executive committee and shall have the same right to vote as other trustees.

(9) Where a vote is tied, the question shall be considered as resolved in the negative.

CHAIR: Thank you.

The Committee will recess and we'll determine whether or not the motion is in order.

Thank you.

Recess

CHAIR: Are the House Leaders ready?

Thank you.

Order, please!

The proposed amendment is said to not be in order.

I'll ask the Clerk to call the clauses again, please.

CLERK: Clauses 2 through 59 inclusive.

CHAIR: Shall clauses 2 through 59 inclusive, carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, clauses 2 through 59 carried.

CLERK: Be it enacted by the Lieutenant Governor and House of Assembly in Legislative Session convened, as follows.

CHAIR: Shall the enacting clause carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, enacting clause carried.

CLERK: An Act to Amend the Schools Act, 1997.

CHAIR: Shall the title carry?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, title carried.

CHAIR: Shall I report the bill without amendment?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

Motion, that the Committee report having passed the bill without amendment, carried.

CHAIR: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Chair.

I move that the Committee rise and report Bill 7.

CHAIR: The motion is the Committee rise and report Bill.

Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

CHAIR: All those against, 'nay.'

Carried.

On motion, that the Committee rise, report progress and ask leave to sit again, the Speaker returned to the Chair.

SPEAKER (Bennett): Order, please!

The hon. the Member for Baie Verte - Green Bay and Chair of the Committee of the Whole.

B. WARR: Speaker, the Committee of the Whole have considered the matters to them referred and have directed me to report Bill 7 without amendment.

SPEAKER: The Chair of the Committee of the Whole reports that the Committee have considered the matters to them referred and have directed him to report Bill 7 without amendment.

When shall the report be received?

S. CROCKER: Now.

SPEAKER: Now.

When shall the bill be read a third time?

S. CROCKER: Tomorrow.

SPEAKER: Tomorrow.

On motion, report received. Bill ordered read a third time on tomorrow.

SPEAKER: The hon. the Government House Leader.

S. CROCKER: Thank you very much, Mr. Speaker.

I move, seconded by the Deputy Government House Leader, that this House do now adjourn.

SPEAKER: Is it the pleasure of the House to adopt the motion?

All those in favour, 'aye.'

SOME HON. MEMBERS: Aye.

SPEAKER: All those against, 'nay.'

Motion carried.

This House do stand adjourned until 1:30 o'clock tomorrow.

Happy Halloween!

On motion, the House at its rising adjourned until tomorrow, Tuesday, at 1:30 p.m.