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Daily Sitting 49

Thursday, May 18, 2000.

1 o'clock p.m.

Prayers.

Ms. Crossman, from the Select Committee on Education, presented the Second Report of the Committee for the session which was read and is as follows:

May 18, 2000

To The Honourable
The Legislative Assembly of
The Province of New Brunswick

Mr. Speaker:

I have the pleasure to present herewith the Second Report of the Select Committee on Education.

The Report is the result of your Committee's deliberations on the Green Paper entitled "*Let's Discuss Public Education Governance*".

The Report outlines the Committee's recommendations for the development of a new, more effective structure to govern public education. The recommendations are intended to be consistent with the commitment of government to establish publicly and locally elected District Education Councils and to ensure parental involvement in the governance structure.

On behalf of the Committee, I wish to thank the many presenters who appeared at the public hearings and the parents, individuals, groups and associations who submitted written briefs.

In addition, I would like to express my sincere appreciation to the members of the Committee for their contribution in carrying out our mandate and a special thanks to the Vice-Chairman, Cy LeBlanc.

Respectfully submitted,

Pat Crossman, MLA.

Chairperson.

Ordered that the report be received and the Committee continued.

The full report of the Committee as presented follows:

May 18, 2000

To the Honourable
The Legislative Assembly of
The Province of New Brunswick

Mr. Speaker:

Your Select Committee on Education begs leave to submit this their Second Report of the Session.

Your Select Committee was appointed by Resolution of the House adopted July 6, 1999 and charged with examining, inquiring into, and reporting to the House with respect to the education system in New Brunswick and to consider such other matters and materials referred to your Committee by the Minister of Education.

This Report is the result of your Committee's deliberations on the matter of Public Education Governance referred to your Committee by the Minister of Education.

On January 31, 2000, Premier Bernard Lord and Minister of Education, Hon. Elvy Robichaud, announced the beginning of a consultation process respecting public education governance in the Province of New

Brunswick. A Green Paper entitled "*Let's Discuss Public Education Governance*" was released and referred to your Committee for public input.

The Green Paper included an invitation to New Brunswickers to provide input and advice to your Committee respecting a new governance structure for public education in the Province of New Brunswick.

Public hearings were held March 21, 22, 23 and 24, 2000. A total of 206 submissions were received representing a broad cross-section of educational stakeholders, parents and communities of both linguistic sectors. The consultation process produced 102 submissions from the current School Parent Advisory Committees, 12 submissions from the current District Parent Advisory Councils, submissions from the two Provincial Boards of Education, and 90 submissions from other educational stakeholders, organizations and interested individuals. A list of participants in the public consultation process is attached to this Report as Appendix "A".

Your Committee expresses appreciation to the many presenters who appeared at the public hearings and to those parents, individuals, groups and organizations who submitted written briefs.

EXECUTIVE SUMMARY

Your Select Committee recommends that a new governance structure be implemented for schools in the Province. The key element in this structure is the District Education Council. This publicly and locally elected body would be empowered as the main governing element. The role of the District Education Council would be to develop the District education plan and District policies, to hire the Superintendent, and to establish hiring policies for District employees.

To provide for communication between District Education Councils, your Committee recommends the establishment of a Resource Committee consisting of representatives of the District Education Councils and their respective superintendents. This body would be executive in nature and would not have decision-making authority.

School Committees would continue to play an important role at the school level. These committees would provide advice to the school principal on school-related issues, assist in developing school-based policies, and provide input on all aspects of school life. The School Committee would participate in the hiring and evaluation of the school principal.

The Minister of Education would retain responsibility for the development of the Provincial Education Plan, the Provincial Expenditure Plan, the Provincial curriculum, and educational programs and services.

SUMMARY OF FINDINGS AND RECOMMENDATIONS

The Green Paper outlines six topics for discussion, namely: Taking the Best; Elements of a New Structure; Good Governance; Authority, Roles and Responsibilities; Electing the District Education Councils; and Accountability.

Your Committee submits its findings with respect to the foregoing topics, based on the written submissions received and the presentations made at the public hearings. The Committee's recommendations focus on a public education governance system that encompasses the principles of respect for parental involvement, accountability, receptiveness, responsiveness, inclusiveness, flexibility and stability, all reflected throughout the consultation process.

The recommendations put forth by your Committee are intended to be consistent with a commitment of the provincial government to establish publicly and locally elected District Education Councils. A summary of the Committee's recommendations is attached to this Report as Appendix "B".

The Committee recognizes the linguistic duality within New Brunswick's education system and affirms this reality. In implementing a new governance structure, the government must ensure that all legal and constitutional obligations are respected and that all aspects of the new system are in compliance with section 23 of the Charter of Rights and Freedoms.

GOVERNANCE STRUCTURE FOR PUBLIC EDUCATION:

Respondents indicated support for maintaining the parental element of the structure at the school level and for implementing publicly and locally elected councils at the district level. Respondents also expressed support for a provincial body of some form.

Your Committee recommends a governance structure for public education that provides for parent advisory bodies at the school level, a publicly and locally elected body at the district level, and a provincial forum that will enable representatives from the District Education Councils, and their respective Superintendents, to meet collectively.

GOOD GOVERNANCE - ROLES AND RESPONSIBILITIES:

It is clear that there is an increasing demand for decentralization of the school system within the context of provincial standards. Comments by respondents varied with respect to "good governance", but they generally reflected an understanding that daily administrative functions should be left to staff and that District Education Councils should focus on broad educational issues.

Respondents indicated an acceptance of the advisory role for school parent committees. Many respondents suggested that having input in the evaluation of the school principal and in the establishment of a school-based budget could enhance the parental role. A lack of communication, a lack of clearly defined roles and responsibilities, and a lack of ongoing training were reported as the most common weaknesses shared by many of the educational stakeholders. Generally, respondents expressed the view that the roles of the school parent body and the home and school association are distinctive, and that both groups perform valuable functions.

Respondents supported an enhanced role for the District Education Councils and noted that such bodies must have clearly defined roles and responsibilities.

There was support for a provincial body to provide a forum for provincial consultation and communication among District Education Council representatives.

Respondents supported the notion that curriculum development and assessment should remain a function of the provincial government. The need for provincial policies was also recognized. However, many respondents noted that a greater degree of flexibility was needed, so that provincial policies and curriculum could be implemented by the districts in a way that would reflect local needs.

A number of respondents expressed a desire for greater budget control at the district level. Concern was expressed that while the Minister should be involved in the decision-making process regarding major repairs and capital construction, there should also be district input with respect to such decisions.

School Committee:

Your Committee recommends that the role of the school committee be advisory in nature.

Responsibilities would include:

- Providing advice to the school principal regarding school-related issues;
- Bringing forward issues or concerns to the District Education Council;
- Providing input on all aspects of the school life that impact student learning and development;
- Assisting the school principal in developing school-based policies in accordance with district and provincial standards;
- Assisting the school principal in developing a School Improvement Plan;
- Developing, in consultation with the school principal, a prioritized capital improvement list for submission to the District Education Council;

Your Committee recommends that the school committees participate in the hiring of their school principal. This would include having representation on the selection committee. Your Committee further recommends that school committees be actively involved in their principal's annual evaluation.

District Council:

Your Committee recommends that publicly and locally elected bodies at the district level be empowered as the main governing element of the new structure.

Responsibilities would include:

- Developing and monitoring a district education plan that encompasses the vision, goals, objectives and standards for the district;
- Developing a district expenditure plan;
- Developing district policies and procedures that support the district education and expenditure plans;
- Hiring and evaluating the Superintendent;
- Establishing hiring policies for district employees that are in line with provincial standards and collective agreements;

- Prioritizing capital construction projects for submission to the Department of Education;
- Encouraging participation of parents, teachers, students, and other individuals or groups at District Education Council meetings;
- Creating and nurturing links between District Education Council representatives and schools in their jurisdiction.

Provincial Body:

Your Committee recommends that representatives of the District Education Councils, and their respective Superintendents, meet regularly in a structured provincial forum that would be known as a Resource Committee.

It is intended that the Resource Committee would be executive in nature in that it would not have decision-making authority. The committee members had differing opinions on the roles and powers of the provincial body. The provincial body would exist for the purposes of information sharing, communication, research, coordinating training opportunities, and providing representation and input on educational issues at the national level. Activities would include:

- Coordinating the training and in-service for school parent committees and District Education Council representatives;
- Encouraging and facilitating communication between the various District Education Councils on issues of common concern;
- Conducting research on educational issues;
- Representing the District Education Councils at the national level.

Your Committee further recommends that the Department of Education fund one position for the Resource Committee and provide the necessary office space and equipment, with the understanding that the individual would be an employee of the Resource Committee.

Minister of Education:

Your Committee recommends that the Minister of Education maintain responsibility for the development and evaluation of provincial educational and administrative programs and services.

Ministerial responsibilities would include:

- Developing a Provincial education plan;
- Developing a Provincial expenditure plan;
- Developing and evaluating educational curriculum and programs, and administrative programs and services;
- Developing educational goals and standards;
- Developing and conducting provincial assessments for students;
- Communicating with District Education Councils and the provincial Resource Committee;
- Responsibility for the general administration, management and control of school property.

ELECTIONS:

The Green Paper focuses on elections at the district level. However, a number of respondents provided opinions regarding elections at the school level as well.

School Level:

Generally, comments with regard to school level elections related to whether or not employees of the school system should be eligible to be candidates. Opinion was divided in this regard and the potential for conflict of interest was recognized.

It was noted by some respondents that non-custodial parents have not been kept informed by the school system regarding school-related issues affecting their child generally, nor regarding school elections specifically.

Your Committee recommends that membership on school committees include elected parents or guardians of students in attendance at the school. Parents should form the majority of the school

committee membership. Employees of the school district would be eligible for election to the school committee of their child's school as long as they are not employed at that school. In addition, it is recommended that *ex officio* members of the school committee include the school principal, teacher representation elected by staff, student representation, and District Education Council representation. Student representation should not be restricted necessarily to the high school level.

Your Committee recommends that elections take place annually and all parents or guardians, including staff, whose children attend the school, should be eligible to vote. It was noted that staff must take reasonable steps to ensure that non-custodial parents are informed about the election process.

District Level:

Respondents expressed support for a publicly and locally elected District Education Council. However, most of the feedback reflected a need for an accessible election process, one that prospective candidates would not find intimidating or restrictive.

Some respondents expressed the view that the District Education Council should be comprised of a combination of elected and designated members to ensure a greater stakeholder voice on the council. In addition, a number of respondents believed that term limits would ensure the vibrancy of the council.

It was suggested that voting for the District Education Councils should be open to anyone who qualifies under the legislation governing municipal elections. Opinion was divided concerning the eligibility of candidates for election.

Respondents were very clear in their assertion that rural areas must receive appropriate representation on the District Education Councils.

Your Committee recommends that all seats on the District Education Council be publicly and locally elected by universal suffrage to coincide with municipal elections.

Some respondents put forward the concept of councils comprised of a combination of elected and designated members. Members of your Committee had differing opinions on this suggestion.

Your Committee recognizes the importance of allowing all interested stakeholders the opportunity to participate in the new governance structure. Under the new system of governance, parents, school committees, educational stakeholders and individuals within the community will be encouraged to bring their concerns to the District Education Councils. In this way, all interested parties will be granted the opportunity to have meaningful input into the decisions made.

Your Committee recommends that isolated areas of a school district be ensured fair representation in the electoral process.

Your Committee recommends that the electoral process include representation on the basis of zones to reflect school catchment areas.

Your Committee recommends that employees of the system should not be eligible to run for a District Education Council, if they work at a school within the jurisdiction of that council. This would not prohibit employees from running for election to an education council in another school district.

Your Committee recommends that there be no restriction on the number of terms a district council member may serve consecutively.

ACCOUNTABILITY:

Respondents clearly expressed the need for accountability and offered many suggestions that would address this issue. For example, there was much support for public annual meetings at which the District Education Council would report on the financial and educational goals and achievements of the school district. Public monthly meetings, distribution of minutes, media coverage, and participation in the Public Accounts process of government were suggested as mechanisms to ensure accountability. Many respondents noted that the election process in and of itself represented an accountability mechanism.

Your Committee recommends that accountability be built into the system through appropriate evaluation mechanisms.

Your Committee recommends the following mechanisms to foster accountability:

- School principals would be held accountable through an annual evaluation process conducted with the participation of representatives of the school committee and the Superintendent;
- The Superintendent would be held accountable through an evaluation process conducted by the District Education Council;

· The District Education Council would be held accountable through the election process and through an annual report that would include the established vision, goals, objectives and standards respecting educational and financial matters of the district with the outcomes achieved;

· The activities of the District Education Council would also be subject to review by a legislative committee of government upon request;

SCHOOL DISTRICT COMPOSITION AND STRUCTURE:

Concern was expressed with respect to the current structure of superintendencies, whereby one superintendent may be responsible for more than one school district. It was felt that the geography alone was prohibitive in such a structure. In addition, there appeared to be confusion or a lack of understanding with regard to the terms "Superintendent" and "Director of Education".

Respondents did not support further district amalgamation. Respondents did express a desire for stability in the school system.

Your Committee recommends single school districts, each having a single superintendent as the chief executive officer.

Your Committee recommends that the single school districts should be no larger in size than those that currently exist.

CONCLUSION:

Your Committee gave serious consideration to the information provided in the oral and written presentations respecting public education governance. Your Committee believes that the suggested model will provide a genuine partnership between the provincial government and the local community. It will ensure parental involvement at the school level, and publicly and locally elected councils at the district level.

Your Committee believes that the new structure outlined in this report will provide the balance necessary to ensure local decision-making with respect to public education.

At the conclusion of Question Period, Mr. C. Thériault rose on a Point of Order and complained that Hon. Mr. Mesheau had referred to his absence from the House and that the rules against doing so were very clear. Hon. Mr. Mesheau apologized to the Member and withdrew the remark.

Ms. Weir gave Notice of Motion 148 that on Thursday, May 25, 2000, she would move the following resolution, seconded by Mr. Richard.

That an address be presented to Her Honour the Lieutenant-Governor, praying that she cause to be laid upon the table of the House a copy of all correspondence, (including e-mail), reports, or any other document between the Chair of the Workplace Health, Safety and Compensation Commission and the Minister of Employment and Training, or any official in his Department, regarding the decision to terminate the President and CEO of the Workplace, Health, Safety and Compensation Commission.

Hon. Mr. D. Graham announced that it was the intention of government that following Private Members' Motions, the House would resolve itself into a Committee of Supply to consider the estimates of the Department of Public Safety.

Debate resumed on Motion 52, moved by Ms. Weir, as follows:

WHEREAS the disclosure of internal government documents related to the decision not to order a full Environmental Impact Assessment of the Irving Oil Refinery Expansion has badly shaken public confidence in the integrity of decision making in the Department of Environment; and

WHEREAS public participation is critical in making important public policy decisions on the environment;

THEREFORE BE IT RESOLVED that this Legislative Assembly urge the government and the Department of Environment to implement stronger public participation for key and critical environmental decisions and take immediate steps to restore public confidence in the Department of Environment and its decision.

And the debate being ended and the question being put, Motion 52 was negatived.

Pursuant to Notice of Motion 53, Ms. Weir moved, seconded by Mr. Richard:

WHEREAS in recent months skyrocketing home heating fuel prices have hit hard at low and limited income New Brunswickers; and

WHEREAS the Harmonized Sales Tax has added to the pressure on people trying to heat homes and apartments with a limited budget; and

WHEREAS the New Brunswick government has been the beneficiary of windfall HST revenues because of this situation;

THEREFORE BE IT RESOLVED that this Legislative Assembly urge the New Brunswick government to consider measures that will assist New Brunswickers during this winter heating season and bring a greater measure of tax fairness to hard-working New Brunswick families and seniors who are struggling on limited incomes.

And the question being put, a debate ensued.

And after some time, due to the unavoidable absence of Mr. Speaker, Mr. Ashfield took the chair as Acting Speaker.

And after some further time, Mr. Acting Speaker interrupted proceedings and advised that the time allotted for Private Members' Motions had expired.

The House, according to order, resolved itself into a Committee of Supply with Mr. Forbes in the chair.

And after some time, Hon. Mrs. MacAlpine, after requesting that the Chairman revert to the Order of Introduction of Guests, welcomed Senator Erminie Cohen to the Chamber.

And after some further time, the Chairman declared it to be 6 o'clock p.m., and left the chair to resume again at 7 o'clock p.m.

7 o'clock p.m.

The Committee resumed with Mr. Ashfield in the chair.

And after some time, Mr. McGraw rose on a Point of Order and submitted that remarks made by Mr. Lee in reference to the Member were offensive and unparliamentary. It was further submitted that Mr. Lee was not addressing his comments through the chair.

The Chairman ruled that all remarks should be addressed through the chair.

Continuing, the Chairman ruled that the remarks made by Mr. Lee in reference to Mr. McGraw could be considered unparliamentary, given the tone and personal nature of the remarks. The Chairman requested that Mr. Lee withdraw the remarks, which he did.

And after some time, Hon. Mr. Sherwood rose on a Point of Order stating that the line of questioning of Mrs. Mersereau did not relate to the estimates under consideration.

Several Members spoke on he point of order.

Mr. Jordan, the Acting Chairman, ruled that he would allow the Member for Bathurst to continue her questioning, and the Minister could use his discretion in answering.

And after some further time, due to the unavoidable absence of Mr. Speaker, Mr. Ashfield the Deputy Speaker assumed the chair as Acting Speaker, and Mr. Jordan, the Chairman, after requesting that Mr. Acting Speaker revert to Presentations of Committee Reports, reported that the Committee had had under consideration the matters referred to them, had made some progress therein, and asked leave to sit again.

Pursuant to Standing Rule 78.1, Mr. Speaker put the question on the motion deemed to be before the House, that the report be concurred in, and it was resolved in the affirmative.

And then, 10 o'clock p.m., the House adjourned.