

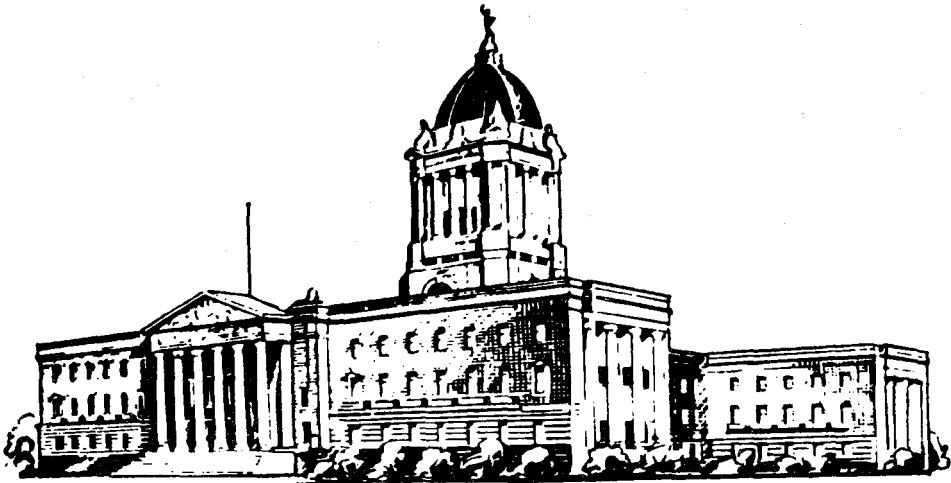


Legislative Assembly of Manitoba

STANDING COMMITTEE ON PRIVILEGES AND ELECTIONS

Chairman:

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



Friday, October 26, 1979 10:00 A.M.

**Hearing Of The Standing Committee
On
Privileges and Elections**

Friday, October 26, 1979

Time: 10:00 a.m.

MR. CHAIRMAN, Mr. J. Wally McKenzie.

MR. CHAIRMAN: The Committee will come to order. We have a quorum. May I first of all deal with the request from Mrs. Mary Shillington from The Pas who telephoned the committee regarding the possibility of the committee moving to The Pas. I have checked again with the Clerk and checked with Mr. Tallin, and the auditor, and they are unanimous in their opinion that we do not have the authority to move the committee outside of the building, so I will instruct the Clerk to phone in our regrets to Mrs. Shillington and leave it at that, and if you wish to vote on it, or pass a resolution here, but in my opinion; that's, I think what we have to do so I'm taking the liberty as being your Chairman to instruct the Clerk to phone Mrs. Shillington and tell her that we would be more than pleased to take her information by letter or any way possible, but we don't have the authority to move this committee to The Pas.

Mr. Walding.

MR. D. JAMES WALDING: Mr. Chairman, I raise the matter of the Statutory Orders and Regulations Committee that had held hearings outside the city in its consideration of Family Law in 1976 and 1977. I'm not aware whether there were any special instructions, provisions made for that committee to meet outside.

MR. CHAIRMAN: We've checked that. It was done by Order-in-Council. That came through in that form, we have a copy of it here.

MR. WALDING: Can you quote us the relevant section, Mr. Chairman?

MR. CLERK: That authorizes the Order-in-Council, Mr. Walding?

MR. WALDING: Yes, please.

MR. CLERK, Mr. J. R. Reeves: It's 66.2 sub (5) of The Legislative Assembly Act, which reads, if I may, "The Lieutenant Governor-in-Council may refer a matter to a committee of the Assembly, whether standing, select, or special, for consideration and report. And the report of the committee with respect to the matter shall be made to the Assembly and to the Lieutenant-Governor." On the strength of this, we went all over the place. It was never challenged but subsequent reading of this Act by myself and Mr. Tallin, we could have been in a hell of a mess if the auditor had ever challenged it. Because Mr. Tallin's reading of the Act, and I am inclined to agree with him, is that even though the authority is given to the Lieutenant Governor-in-Council to pass such an Order-in-Council, it is presupposed that the committee would act in accordance with its normal role, in other words, unless they get specific authority from the House to travel outside of Winnipeg, the meetings would be held in Winnipeg.

But on the strength of this, I agree, we went all over the place. But as Mr. Tallin says, it could have been challenged by the auditors but it never was. But right now we have nothing to hang our hat on.

MR. WALDING: I see. So there is no specific provision within that O/C to enable the committee to go up.

MR. CLERK: No. But Mr. Pawley, if you will recall, was the Attorney-General at the time and was also at the member of that committee, was very active in wanting the committee to go, and as I say, on the strength of the Order-in-Council, it was never challenged . . . but gentlemen, I hate

to even mention it, and it's one of my fears right now, the main reason that I have even talked to our Chairman is that you could and have been then and you could be now, if we were to go to The Pas, personally liable for all of your expenses.

If the auditor simply says we have nothing to hang our hats on, the committee was unauthorized to go, and would refuse to pay your expenses, where are we? That has been my . . . apart from the fact I don't think the committee has the authority to do this, and this is also the opinion of Legislative Counsel. I spent a good half hour again with him this morning.

MR. CHAIRMAN: Mr. Walding. Mr. Hanuschak. Mr. Kovnats.

MR. ABE KOVNATS: I think, Mr. Chairman, that time might be of the essence. The amount of delegations coming down seem to be getting fewer and fewer. I would strongly recommend that rather than just a letter, that a phone call to the interested parties, advising them that the Committee cannot sit out of Winnipeg, and if they want to come into Winnipeg to present their briefs that it would certainly be acceptable.

MR. CLERK: Mr. Kovnats, if I may, since there was a telephone call to my office, our intention was to phone the parties concerned and advise them of the decision the committee made.

MR. KOVNATS: Thank you.

MR. CHAIRMAN: Mr. Boyce.

MR. J.R. (Bud) BOYCE: Mr. Chairman, if the Committee really felt compelled to go, without doubt we could go and ask for retroactive approval of the House, which would be rather cumbersome, I admit. I would suggest, though, in our report to the House, that we point out this oversight because the government really has control over whether we go or not, and doubtless they will be prudent to exercise that authority. So, if we, in our draft report to the Legislature, we consider suggesting to them that this be built into the rules.

MR. CHAIRMAN: That even our own House Rules, the Rules Committee should take note of this in case it occurs again.

MR. BOYCE: Yes, it would have to go on a Statute and then . . .

MR. CHAIRMAN: Yes, yes.

MR. CLERK: May I just ask, for a point of clarification, to you, Mr. Chairman, if I may. Are you suggesting that we amend The Legislative Assembly Act?

MR. CHAIRMAN: No, I'm not, just look at it.

MR. CLERK: I mean the idea being that it could be a recommendation from this committee that the committee shall choose where they would sit.

MR. CHAIRMAN: Well, or how you deal with a request such as this when we're in Committee, or a request of this nature comes, and it is quite legitimate. Are we doing the right thing now, so that the matter is clearer than it is at the present time.

MR. CLERK: The only comment I would make on that is the resolution which authorizes the subject matter of the two bills to be referred to the Standing Committee was not specific enough in its content, and that's my main contention of it right along. If it had said something along . . . I have two points that I'm a little dubious about. First is that there seems to be no reporting procedure, and it doesn't make much sense to have a committee sit and not be required to report. And the other, as I say, is the matter of chasing around.

MR. CHAIRMAN: Okay, proceed. Father Klysh. Mrs. Andrieshyn. Mrs. Riedner and Ken Alyluia. No. 46. You have copies of your presentation Mrs. Riedner?

MRS. LORETTA RIEDNER: I turned in copies to all the gentlemen. Mr. Chairman, gentlemen. I would like to begin by explaining that the function of our organization is not to change our public school system by adding alternate schools. Our intent is to clean up the existing public schools.

This admittedly is a huge undertaking, and the first step must be to update the Public Schools Act to include the rights of responsible parents. (The word responsible, as defined in Webster's Dictionary reads: obligated to account for, involving obligations or duties, able to think and act responsibly.)

If it is true that the school is an extension of the home, then the Public Schools Act must also recognize not only the students' rights but also those of the parents. We are responsible for our children until the age of majority. The responsibility does not begin and end at the school doorstep. It has always been our understanding that the Department of Education developed curriculum to supply the basic educational needs of our children and the parents supplied the rest. When the Department of Education decided to add the responsibilities of teaching children in areas other than scholastic, we feel the Department must also be prepared to accept the consequences for their actions. We ask you, how can we be held legally responsible for somebody else's teaching in areas that should rightfully belong to the parents? For example, morals, values and a choice of religious instruction.

Obviously, parents cannot depend, as they used to, on the Department of Education nor on the trustees as being the educational experts they once more.

We will use River East as an example. When the program "Building the Pieces Together" was brought into their division, it was not an optional program and very few, if any, parents knew about it or had seen and studied the curriculum manual. When they were made aware of the program, parents were quickly alarmed. The Chairman of that Board stated to the press that the Department of Education had sanctioned the program. The trustees assumed it was acceptable and approved the course without bothering to read it.

The same thing has happened in at least three other divisions to our knowledge and probably many more. The individual boards are accepting carte blanche the Department of the Education's authorization of programs. If the programs are like "Building the Pieces Together", the Department has not evaluated them and the Boards have not reviewed them. Who then is going to be accountable, who is going to be responsible?

The public schools used to teach students how to analyze their subjects, now the students seem to be the subject of analysis. Because of this trend the schools have invaded the students' privacy, the parents' privacy, and taken over the areas that were traditionally the responsibility of other social institutions and the medical profession.

Teachers are trying to be all things to all people instead of doing the job they were best trained for, that of teaching children the skills that will give them the tools to further their education at university, technical or vocational school, or go out and do a job of work, thus enabling them to eventually provide a living for themselves and their families.

Over the past few months I have been corresponding personally with the Honourable Mr. Cosens. His last letter, copy enclosed, to me has left us at somewhat of a variance with one another.

In paragraph three he is telling me that "in matters of ethics, morals, religion and political persuasion, teachers, school administrators and legislators are not usually inclined to take an active stand. Within the parameters of those areas parents are generally recognized as having the right of determination".

But in paragraph five, he states, "In that part of the program, as laid down by the Department of Education, parents do not have the legal right to alter, modify, or determine what is or is not taught to their children."

In our opinion, there is a direct contradiction between paragraphs three and five. We do not feel parents wish to intrude on the basic core curriculum, but when the program intrudes on the privacy of the homes, or the personal privacy of the children, is this not considered the moral, ethical, religious, and political persuasion areas which the Minister had earlier indicated belonged to the parents. It would seem the Minister has given us our rights with one hand and taken them away with the other.

When we are told that the legal interpretation (copy enclosed) of The Public Schools Act states that "Parents have no legal rights as to what is or is not taught to their children in school", we feel the Act should be amended to read that responsible parents have the legal right to withdraw their children from courses or segments of courses which they conclude may be injurious to them for reasons of their physical, mental, or spiritual well-being.

The Minister has stated "The Public School Act is really an educational bill of rights for the pupils," but as we have pointed out, when the curriculum, whether it be optional or core, relates back specifically to the children's homes, lives, their parents, siblings or their morals and values, it is no longer only the students' rights which need protecting or reinforcing, it also becomes the parents' rights.

We would ask you to carefully consider a long overdue amendment to the Act on behalf of the parents.

Thank you for your time and consideration in this matter. Most respectfully, Loretta

MR. CHAIRMAN: Thank you, Mrs. Riedner.
Questions of Mrs. Riedner?
Mr. Hanuschak.

MR. BEN HANUSCHAK: Yes, Mr. Chairman. Could Mrs. Riedner indicate to the Committee who this organization is? I must confess I have never heard of the Peoples' Education Policy, Manitoba Incorporated, I take it that is what the abbreviation stands for.

MRS. RIEDNER: Yes, sir. We are an organization of concerned citizens. We are represented province-wide. Any person who is interested, concerned about the education of their children, they are welcome to belong to our organization with a membership fee of \$2.00 and with the adherence and agreeance with our constitution.

MR. HANUSCHAK: You have province-wide representation?

MRS. RIEDNER: Yes, we do, sir.

MR. HANUSCHAK: Could you give us some indication of the size of your membership?

MRS. RIEDNER: Mr. Chairman, I really don't feel right now that that is relevant to my brief. I feel that the pertinent facts are on the paper and the size of the organization shouldn't be what is on trial today.

MR. HANUSCHAK: No, Mr. Chairman, it is not my intention to put the organization on trial, but as Mrs. Riedner has indicated the organization has province-wide representation, I think that the Committee may want to know, because I think that it is a matter of significance whether, you know, if the organization represents 50 percent of the population of Manitoba it is one thing; on the other hand, if it represents a fraction of a hundreth of one percent, then it is something else.

MRS. RIEDNER: Mr. Chairman, may I put it in this manner. Right now we are in the process of a membership drive. Our membership does drop down to zero every year at this time, but let me put it to you this way, Sir, we have spoken to literally hundreds of parents across Manitoba, and I feel we represent every concerned parent in Manitoba.

MR. HANUSCHAK: Thank you.

MR. CHAIRMAN: Any further questions of Mrs. Riedner?
We thank you for your presentation, Mrs. Riedner.

MRS. RIEDNER: Thank you very much, Sir.

MR. CHAIRMAN: Mr. Terry Lewis. Apparently we have — this is Renaissance Manitoba, No. 60, and the brief is already in your possession. He has other copies in case you haven't got them with you today.

MR. TERRY LEWIS: What happened, Mr. Chairman, is, I am the Western Regional Director and not the provincial or the city leader here, and I came to the understanding yesterday that they were not going to present their brief in person, and so I checked into that and they called upon me to present the brief for them.

MR. CHAIRMAN: One second please, until we get it straightened out.
Mr. Hanuschak.

MR. HANUSCHAK: I'm sorry, Mr. Chairman, I must apologize for being inattentive at that time. Who is the delegation that we're now hearing?

MR. CHAIRMAN: It's Renaissance Manitoba, Mr. Terry Lewis, No. 60 on your list, and his submission was offered the other day and it was written and now Mr. Lewis is able to come here and make a personal presentation. One second, Mr. Lewis, we'll get the brief circulated. Okay, proceed sir.

MR. LEWIS: One thing I'd like to clarify before I start, Mr. Chairman, is that it wasn't until yesterday that I myself saw this brief. It has been the local provincial chapter that has drawn up this brief, and in talking with them subsequent to that, they have given me liberty to comment freely on their behalf as we go along. There were certain items in here that were perhaps in need of some clarification or some comment.

Whereas recent increasing demands of parents for private schools indicates a general dissatisfaction with the existing public system, and,

Whereas "Parents have a prior right to choose the kind of education that shall be given to their children" (Article 26 U.N. Universal declaration of Human Rights), and,

Whereas the rigidity of the public school system as it is now constituted severely curtails freedom of choice in the pluralistic society in which we live, and,

Whereas those parents favouring independent schools are penalized for this choice by contributing both to the public schools through taxation and also to the cost of independent education, and,

Whereas, while public schools are deemed to be non-sectarian, it is evident that certain textbooks and literary works are in fact humanistic in their philosophy and language, Humanism being defined as a religion and as a church for tax deductibility in the U.S.A., and,

Whereas religious studies or a moral ethics course is non-existent in the curriculum in the public schools, and,

Whereas public school trustees are overburdened with the task of school board administrations, and,

Whereas parental input on the standards of education, the textbooks and the curriculum in the schools is non-existent — I personally would modify that — or limited and the schools are autonomous, and,

Whereas some children are handicapped or suffer from learning disabilities, therefore, we propose the following:

1. That tax monies should be directed at source, i.e. the property tax — an example of that perhaps would be Saskatchewan — as to the support of either the public school system or a specific alternate school, including home instruction, and that the tax dollar follow the child.

2. That each alternate school or group of schools be empowered to elect their own trustees to administer funds under the provisions of Manitoba government regulations.

3. That any per capita or per teacher grant from the Department of Education should be allocated to each specific private school to be administered by its trustees.

4. That any grants for textbooks, supplies, instructional materials and library materials be allocated directly to the trustees of the private school.

5. That private school trustees or boards should be empowered to hire teachers according to their character and philosophy.

6. That sufficient latitude in the choice of textbooks be allowed for the teaching of the Creation model vis-a-vis the Evolution model in Science and wholesome literature of good quality for the teaching of Language Arts and English in Junior and Senior High Schools.

7. That a trustee or representative of each private school board be included on the curriculum selection committee for various subject fields under the Department of Education jurisdiction. I personally would modify that as probably being an administrative impossibility, but the idea is there that they want the input.

8. That every public and private school elect an advisory council of at least six parents to review and assess the standards of education, the textbooks and the curriculum content, and submit reports to the school trustees.

9. That an approved Religious Studies and a sound Moral Ethics Course based on the Judeo-Christian principles including respect for law, order, authority and morality, be available as an optional course of studies.

10. That students with disabilities should have the basic right to an education. And there is a note there regarding humanism.

May I add to that, Mr. Chairman, some brief comments that would help clarify some of those items. Mr. Hanuschak was interested in the number of people that are represented. May I say in the western region we have 6,000 people in Manitoba, 35,000 across the west, that I represent; and since January 1st we have received over 12,000 letters in regard to the whole area of education. And we have done a resume and put that into sort of a manifesto that I have with me at this time as well.

Some of the other concerns, particular to the Manitoba situation, if I may address myself to them. One of the reported things is the higher cost in education with a 7 percent increase in school costs and 2 percent decrease in enrolment. I am advised by several of my colleagues and associates who travel in circles of education, that there are various reasons for some of this. I won't begin

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to quote any of them, but some of the things that we would like to question in the area of, perhaps, the decentralization used to be that a superintendent, or whoever it was, would order for a whole division, and now we find that requisitions are given, and you will find that certain requisitions, such as, I could give you an example: \$8.00 for welding rods, \$10.00 delivery charge. And if they were centralized again and put out for tender, the costs would be a lot smaller.

The other problem is inventory. Teachers are no longer required to give an inventory, and you have such interesting things as a drill press missing at Grant Park and a few other things that are very interesting. Or, how about a 30,000 pound, or a ton press, at Tech Voc that cost \$14,000; it was used for one hour; it gathered a little dust and then was sold for \$250 to a local businessman. Some of these cost factors are certain concerns that we do have, and perhaps, it would be interesting to note if we went back through the requisition, if that was possible, to try and find out where a lot of those things are today.

The other thing that we would like to mention. In the area of standards, it is reported by the press, we do have standards in the skill courses, core courses. It would be our concern that those standards, if they were to be imposed upon parents in their rights to educate, either in a private school or home setting, would also be imposed upon teachers in a public school setting with the same consistency, in that if it required the loss of the ability of a parent, or private school, to instruct and teach according to those standards, so should it also be to teachers in schools in the public system who fail to meet those standards as well.

Furthermore, I think maybe we should allow the responsible parents to make some mistakes at times. God know that the Department of Education has made their share of mistakes over the years and I could quote perhaps the Chief Peguis School, the Open Air, which was a proven thing down the eastern seaboard, as being a mistake, and yet we brought that over at extra cost into our own setting and found out it was a mistake here as well.

In regard to curriculum, first, the comment that was in the brief is that schools are not neutral. I quote Tom Harper who said the widely held view, "that the public system itself is religiously and morally neutral and free from mythology," is the greatest mythology of all. No system in education is neutral. Trying to serve all masses, while naming none as Lord, it has arrived at the point where it openly espouses the major religion of our time, that is secular humanism or blatant materialism. The secular view of man in the world lives by faith commitment to a certain truth and values just as surely as does any religious person. For example, moral relativism, the view that there is no moral absolutes, one man's moral truth is as good as another, is just as much a matter of faith or unprovable assumption as any article of Christian creed. Yet if you do not accept some recognized religious basis for morality, relativism is what you inevitably end up with. This in part at any rate is what all the current heart searching in Canadian education about the failure of the present educational system to impart traditional values, is all about. Having severed the roots of traditional Judeo-Christian religious outlook, western man still wistfully looks to the tree for the fruit of traditional morality, and seems genuinely surprised, when it is no longer there".

So, Mr. Chairman, these are just some of the concerns in brief and I could go on and on in regard to an article published, "Schools should not do any mind meddling." In regard to Building the Pieces Together or the whole values education, I quote Dr. Blair Shaw, Educational Psychologist, who is internationally known, "School Boards should get out of the value education business because they are not properly equipped to do the job." According to prominent psychologist, Dr. Shaw, as he goes on to say that "the value programs are usually run by incompetents and often do more harm than good". In regard to . . . I think his comments are, " psychologist quacks" quackery in the school

These are some of our thoughts in brief and we, as an organization are seeking to back the parental right in the type of education they want, without financial penalty, in achieving that education that they so desire. Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you, Mr. Lewis. Any questions for Mr. Lewis from the committee? We thank you for your presentation, sir.

I call Mr. Froese, Jake Froese; Father Klysh; Mrs. Mary Kardash; Mrs. Andrieshyn, Antler River School Teachers' Association; Mr. Jim Meikle of the Central Regional Liaison Committee for the Mentally Handicapped; Mr. Brian of Fort la Bosse Teachers' Association; Mr. Rex Williams, Southeast Child Development Advisory Committee; Miss Felicite Warner of the Association for Deaf and Hearing Impaired Children; School District of Mystery Lake, Mr. Parker; Souris Valley School Division, Mr. Wismer; Mrs. Jean Taylor; Manitoba Indian Brotherhood, Mr. Flett; Ms Patti Sullivan: Dr. G. Bravi from the Council for Exceptional Children; Wendy Priesnitz, Ontario, Canadian Alliance of Home Schoolers; Mr. Bob Strong; Mr. William Hutton; Mr. Roy Benson.

Are there any people in the room that wish to make a presentation before this committee this morning? None. What do we do?

MRS. RIEDNER: Mr. Chairman, may I ask special permission to use some of this material? I didn't have a chance, with the members, to show them the intent with respect to this brief, and I would like very much to give an example of the invasion of privacy that we cited, if that would be at all possible?

MR. CHAIRMAN: Well, I'm at the mercy of the committee. What's your wish? Mr. Hanuschak.

MR. HANUSCHAK: Mr. Chairman, I believe that the usual procedure of this committee was, as each delegation was called, that that was their opportunity to present their case in whatever manner they chose to do, if they wish to, and once that is done, then we move on to the next delegation, but I do not believe that we made any exception to that by allowing any delegation to return and make a further presentation or further elaboration on the basic one, nor have we.

MR. CHAIRMAN: I think you're absolutely correct, Mr. Hanuschak, that the precedent of the committee has been that you make the one presentation. It's quite possible that you could leave that information with the committee and it certainly will be examined, if it's something that we haven't already received. Mr. Kovnats.

MR. KOVNATS: There seems that there were two members of the same committee and there is another and I would imagine the other chap that has accompanied Mrs. Riedner, should be allowed to make a presentation as a private citizen if he cares to do so. It would be a private citizen's proposal rather than on behalf of the group if he would care to do that, or any other citizen that's in the room.

MR. CHAIRMAN: Yes, you've already spoke, Mrs. Riedner, to the committee, so we'd be setting a precedent here, but the gentleman who is with you is certainly at a liberty if he wishes.

MR. BILL RIEDNER: Mr. Chairman, I would like to say a few words if I may.

MR. CHAIRMAN: Can we have your name, sir?

MR. RIEDNER: Mr. Chairman, my name is Bill Riedner; I am the husband of Mrs. Riedner. Thank you very much and the members of the committee for allowing me to get up and speak, though unprepared, as there is no written brief.

I would just like to make a comment further on what some of the parents are upset about and I'd like to draw to the committee members' attention the name of a curriculum book "Teen Horizons at Home and School, Canadian Edition" and it is the Collier McMillan Family Life Series, and as a parent, when I saw this book, I got a bit upset, and the committee members, I trust I will speak to them as parents themselves, that if they had their child bring a book home like this that was being used in the school without their prior knowledge, you might get upset yourselves, honourable gentlemen.

On page 18, it says "evaluate your environment" and it explains environment, that is, "the people, places, and things that make up the world in which you live etc., influence formation of your personality". Here are some examples:

Family at home: And the children are required to write out the question and then answer it fully and sign their names to the papers.

Position in the family: Am I an only child, a member of a two-child, a medium-sized, or a large family? Am I the only son or daughter? Am I the oldest or the youngest child? Am I the middle child? Do I have step-brothers or step-sisters? Are there foster children in my home?

Family Relationships: Do I live in a two-parent, one-parent, broken, or foster home? How do I feel about my brothers, sisters and other family members? How do I think my parents feel about themselves, other children in the family, and me? Am I a natural, foster or adopted child? What activities do I share with my family? What are family attitudes towards such things as work, education, religion, privacy, independence, discipline, family life, money, community involvement, etc.? Are my parents strict or permissive in relations with children? Do other relatives live in my home? How do the members of my family communicate, openly, rarely, in anger, not at all? Is affection shown freely and equally or are emotions carefully controlled? Do I, or my brothers and sisters, share in making some family decisions?

And then Family Resources — What is the educational background of my mother, father and other family members? Does only one, or do both parents work? Is living space adequate for the size of my family? Are there books, records, magazines, newspapers, tapes or other learning aids

in my home? Do family members possess any special talent, skills or abilities? Do my parents own or rent the home in which we live? How is my home furnished and equipped? Do furnishings, equipment and appliances meet the needs of all family members? Does my family have only the necessities of life or does it also enjoy luxuries? And possibly what are necessities to me would be luxuries to somebody else, or vice versa.

Do family members display creativity in the use of time, energy, skills and money? Can you evaluate your environment, the family climate, do special problems relating to health or income exist? Is my family settled or does it move often? Do feelings run high and explode often? Is the atmosphere calm and co-operative most of the time?

Are there enough teachers to promote learning? Are the teachers stimulating, understanding and effective? Is my school well equipped for learning with sufficient books, supplies, laboratory equipment, etc.?

And then it goes on: Friends and Companions: — Do my parents and other family members cultivate friendship? Does my family encourage me to bring friends home? Are most friends from the same background as myself? That is, do parents have the same education interests, income and housing? Do I enjoy friendship with both sexes? Do I feel friendly towards any much older persons outside my immediate family? Are most of my friends close to my own age, older or younger? Do my friends share the same values, attitudes and goals as I do?

And then they talk about the community. Do I live in a town, city or on a farm? Do community members change frequently? Do I live in a law abiding or law defying community? Are neighbours concerned with community problems and civic affairs?

Then about the Church — How do religious leaders feel about God, teenagers and the world? Are there houses of worship for the major religions? Do people act on their own religious convictions? Are church related activities available to all age groups?

And then it goes on about the country, and it goes on and on and this is a Home Economics course, honourable gentlemen. Now, a few years ago, if you were asked a question about what religion or that, people would consider that as "none of your darned business what Church I go to or what religion I belong to". And we have, if I understand correctly, in The Unemployment Act, nowadays an employer is not allowed to ask you what sex you are as far as discrimination goes, or what religion you are, or even if you have had a record as far as being a criminal or that goes. And yet our Department of Education is asking our children to bare their souls and bare our home life. All you need is a SIN number on here and you don't need a law enforcement agency to gather any information, or that, because you have it right here in the schools. And honourable gentlemen, I'm quite sure if your son or your daughter was required to fill this out without your knowledge, you would be darned upset because it would give your whole background, and I, as a parent, am very upset when this comes.

I'd like to answer the Honourable Ben Hanuschak. People's Education has presented before to the previous Ministers of Education, at least one of them, we had a meeting in his room downstairs. We have been well known. I, myself, have presented a brief and we have been, ever since we received a legal interpretation that parents have no rights, we have been trying to fight the establishment as to getting some legal rights for parents into the School Act, because there are some things, as far as a parent goes, gentlemen, that I believe are private and they do belong just to the parent himself, and not — even though this possibly could be construed as an exercise to make the child think — but this paper is brought before the whole class and it's discussed. And as far as I'm concerned, what my income is, whether my house is adequately furnished or not in some other person's estimation, is nobody's business. As long as I furnish a home for my family, provide religion or whatever for them, a school environment is a school environment and a home environment is a home environment and as far as I'm concerned the two should not be bared, because I'm quite sure if our Minister of Education would have to go and put everything out to the press, everything that goes on in his home or everything that goes on in the schools, it would have to be spread out, made public, everything that the teacher does.

What's the principal's income? What are his friends? What are his sexual relationships? Members, what are we getting to? This is still not 1984, we're only 1979, and that's not meant as a pun, gentlemen, because I read that book and it scared me, and this scares me, and this is a Home Economics course which, if a child wants to major in Home Economics or goes to university, it's mandatory to get credits.

MR. CHAIRMAN: Thank you, Mr. Reidner. Are you prepared to answer some questions?

MR. REIDNER: Yes, if I may.

MR. CHAIRMAN: Mr. McGregor.

MR. MORRIS McGREGOR: Mr. Chairman, to Mr. Reidner, I put the question, I certainly know of what the gentleman is speaking because I have one division that this is very much a subject matter and it strikes me a little odd of the many school divisions that I get involved with, it's very prominent in one, and as I said to some of the people who have come to me about it, do they really want the Minister laying down the law to that school division. My wife is a school teacher and looked through much of that book, or a similar book, and she doesn't sense in her school division that this is a problem. However, a few miles up the road it is a fact. What I would like to put to Mr. Reidner, do you think the Minister should be ruling on this, or indeed is it the local school board?

There is an election being fought out there in that one division at the moment and I will be surprised if we don't get another delegation, following the introduction of this subject, next week. But the question is, is it the Minister or should it be your local trustee that rules, the Board of Local Trustees, that either opens this up or closes it down somewhat? It is sort of a freedom of a teacher to do this and as I understand it, Mr. Chairman, not many teachers are allowing it to go this far, but those that do, and I might specify, it seems to be more annoying in the settlements of Mennonites, people who maybe do bring — and their standard of living is maybe higher than us Anglo-Saxons. I really mean that, I think it, and it is annoying them and I feel badly at this hour that we have not been able to really tighten this down and at the same time if we are going to elect divisional school board representatives, they are to rule it, and I don't think any of us want our Minister to run everything. I am not sure if I have put a fair question to you, Sir, but I would like if you can answer my rather long question.

MR. RIEDNER: Mr. Chairman, I will try to do my best to recall everything that was in the question.

First of all, Mr. Chairman, I feel a subject matter such as this is much, much too sensitive and much too important to leave up to individual school boards and school divisions where we have "X" number of them, and each one could rule differently and invade the privacies of the parents, children, etc., where one approves, the other one disapproves, and this could become an election issue every time you hold a by-election or a school board election.

Further, Mr. Chairman, to answer towards that question, I have here a copy of a letter dated October 17th, 1979, from the Manitoba Medication Association re one of the other books that we have with us, "Building the Pieces Together", and I believe the honourable members might have a copy of this, but if I may I would just like to quote from them, which would also cover this, because at that time this book "Teen Horizons" was not available to give to the members of the Manitoba Medical Association for their opinion, because it just came out. But they state that "Building the Together" and other psychological courses, the program involved emotions and if I may just change that slightly, could I add, the programs involve emotions, because as we all heard there are highly sensitive emotions involved in this book too and feelings of children in a field of expertise, which teachers are not trained or competent to deal with.

Now also we could take the third paragraph to add to this: "Content is subject to interpretation of the individual teacher causing wide variations in presentation and emphasis" and this could be added that school boards could interpret this. "It is our understanding that only some. . ." No, I would have to delete that, Mr. Chairman. "But it is questionable whether the school through the teacher should in any way influence the children in the sensitive area of family-unit relationships. Of particular concern is the discussion in front of their peers relative to family and parental arguments. In its present form it is therefore considered that a course such as this should have no place in the present school system. This is particularly so when it receives so much opposition by parents. While recognizing that the school boards and the Department of Education have the responsibility to establish the school curriculum, nevertheless the wishes of the parents should be respected regarding such a sociological program, which cannot be deemed to be an essential subject for inclusion in the school curriculum."

Honourable, Sir, I do not feel, in my opinion, that family relationships and the most intimate questions about the family, about the home, about the child's feelings towards his teachers, about the church, should be bared, especially by a child who is trusting in his teachers and answers every question openly. He is still not devious like adults who might be able to circumvent a question and still answer it without divulging very sensitive subjects.

Mr. Chairman, I hope that answers the honourable sir's question.

MR. McGREGOR: Well, then, Mr. Chairman, really what you are saying, this should then be directed to the Curriculum Department, who are setting up, to get this book or this thing taken right out of the curriculum. Would that be a correct interpretation?

MR. RIEDNER: Mr. Chairman, all subjects involving psychological courses should be removed from our curriculum, because our teachers are not properly prepared or equipped to handle the psychological problems unless they are psychologists or have psychological training, and our teachers through speaking to quite a few of them are very unhappy, Mr. Chairman, by having to go and into some of these areas, which they feel they are not quite adequate enough to teach. They would much prefer to stick to what they went through teachers' college. . . what they were there to teach, and this was quoting a teacher. He said, I would be very happy if I would be allowed to do what I was trained to do and that is to teach the children, without going into all these other areas.

MR. McGREGOR: I read some of that in the last few months, trying to get myself a little bit of understanding of what, and as I understand it the teacher was free to go into this, or free not to go into this. It was that his or her teacher could go into or not. It didn't seem as though it — it was an individual thing and Mr. Chairman, I do feel that some teachers would take advantage of that, I would say 99 percent would not, but it is the one that does that causes the problems. I guess that is what happened out, and I can name the school division, Fort La Bosse, is the one that is involved with this subject matter.

MR. CHAIRMAN: Any further questions of Mr. Riedner?

MR. RIEDNER: May I just comment on the last statement. This did not come out of that school division, honourable sir, this came out a school division much closer to Winnipeg, and the parents are quite upset with it.

MR. CHAIRMAN: Mr. Brown.

MR. ARNOLD BROWN: To you knowledge, Mr. Riedner, is "Building the Pieces Together", is that still being used by any of the school divisions? .

MR. RIEDNER: Mr. Chairman, officially, to my knowledge, it is not being used, but unofficially it is being used, because to quote a presentation at a school board meeting in Winnipeg No. 1, the teachers that presented the brief for "Building the Pieces Together" stated you can take — and I might be slightly out on one word — but the intent was, you may take the books away from us, but once we have been trained in this, we will still teach it. And this was at a public meeting of the Winnipeg School Board, Division No. 1.

MR. BROWN: Thank you.

MR. CHAIRMAN: Any further questions?
Thank you kindly for your presentation, Sir.

MR. RIEDNER: Thank you, Mr. Chairman, gentlemen, for allowing me the opportunity.

MR. CHAIRMAN: Mrs. Andrieshyn. She apparently is in the room — oh, I see. Okay.
Mr. Kovnats.

MR. KOVNATS: I think if you have called all the names that are on the list, I would at this point move. . .

MR. CHAIRMAN: She is here. Mrs. Andrieshyn is here. Mrs. Andrieshyn is here. Mrs. Andrieshyn proceed. No. 14 on your list.

MRS. LOUISE ANDRIESHYN: Mr. Chairman, Committee members. I think those of you present here are aware of our case as it stands right now before the Department of Education. My husband and myself have been attempting to get permission to teach our children at home, and at this point our case is before the Honourable Mr. Cosens, the Minister of Education. I believe that it would be inappropriate for me, in this brief, to deal with any of the issues that are presently in dispute with the Department of Education, however, I have referred to our case as it is relevant to the statutes that are now under revision.

This brief is presented by Michael and Louise Andrieshyn of Anola, Manitoba on behalf of ourselves, as parents, and on behalf of our children, Heidi, Michael, Elise and Malcolm Andrieshyn.

We speak to the Committee as a family representative of all other families whose lives are affected by those statutes in the Public Schools Act which govern home education in Manitoba.

In our role as parents, we have been attempting for almost a year now to assume primary responsibility for the education of our children at home according to the channels provided legally in the Public Schools Act.

In our role as guardians of our children we have been attempting, during that time, to protect and guarantee for them their right to a home education as is legally provided for them in the Public Schools Act.

Speaking as a family, we wish to point out that our lives have been adversely affected during this past year by an unwarranted degree of bureaucratic interference resulting from certain statutes in the Public Schools Act.

And, speaking on behalf of other families, we hope that our presentation to this committee will ensure that no other responsible family will be subjected to the same unnecessary bureaucratic harassment that our family has undergone as a result of these particular statutes.

Our means of approach in this brief will be to take a specific statute, explain how it works in real life, from our personal experience, and on those grounds make our recommendations concerning it.

We will discuss the facts of how our case has proceeded to this point in reference to specific clauses in Bill 22 for the purpose of:

1. identifying the strengths and weaknesses of the relevant statutes;
2. pointing out how these statutes affect the rights of parents, children and families;
3. and in the light of the foregoing, indicating how certain statutes could be improved upon in order to prevent further cases such as ours from developing.

We will be dealing only with Bill 22, Part XIV School Attendance. Our primary areas of concern are:

1. that home education be maintained in the law;
2. that compliance legislation replace the present exemption legislation.
3. that home education be under local jurisdiction rather than provincial;
4. that "satisfactory education" be clarified.

Our secondary concerns are:

5. that the inquiry and appeal processes be delineated;
6. that the powers of the School Attendance Officer be examined.

And our last, but foremost, concern is:

7. that Regulations be made in support of home education families.

Turning to our first concern, recognition of home education. I would ask the committee's permission to give a bit of background on home education in Manitoba for your information.

Though Bill 22 is the result of seven years work by the Department of Education, unfortunately what the framers of the bill were unable to take into consideration was the effect on these laws of the recent Home-schooling Movement, that is, the rapidly growing number of parents who are choosing to teach their children at home rather than sending them to public or private schools. For the information of this committee, here are some of the basic facts about the Home-schooling Movement in Manitoba, and their implications for Bill 22:

Of course, home education is a traditional form of schooling in Manitoba. Every year several hundred Manitoba children receive their education through home study programs from the Correspondence Branch of the Department of Education. These traditional home education families cite reasons such as sickness, travelling, distance from school, and religious grounds.

By comparison, the recent Home-schooling Movement centers around families who are choosing home education for the simple reason that they believe that they can provide their children with a better education at home. The progress of the Home-school Movement can readily be seen in the documentation provided in the Appendix: If you would just like to flip to the last page of the brief it is a fairly thoroughly researched summary of the families in the last few years when we, ourselves, have been home-schooling. To give you an indication of the growth of this educational alternative, as you can see three years ago there were only two families, neither of whom had approval; two years ago three families, two of which were about to receive approval; last year four families, two of which were officially approved; this year, suddenly about a dozen families, four of which have received approval.

The trend evident here of increasing numbers and easier access to approval is indicative of the pattern of the Home-school Movement across North America.

Therefore, we would urge the committee to bear in mind as we look at the following laws, that we are expressing concerns not only of our own family, but the concerns of already a dozen Manitoba families, a number which, within the near future, may have increased dramatically. If the Manitoba laws are at present not working well in dealing with home education families, the problems with

these laws will probably intensify unless the laws are revised to meet the demands on them.

The next paragraph is entered very respectfully. Let us make it quite clear that Manitoba law regarding home-schooling is as it currently exists, basically sound. The types of changes necessary to allow for the laws to work more efficiently are neither major nor extensive. It is mainly a change of emphasis that is needed, from negative to positive. Plus a good deal of behind-the-scenes co-operation on the part of the school authorities whose responsibility it should be to offer assistance to parents who wish to avail themselves and their children their legally provided right to home education.

Turning now to the statutes. Let us turn directly to the Central Manitoba Statute governing Home Education by Choice in Manitoba. The Standing Act reads: "No parent is liable to any of the penalties if he produces a certificate of a school inspector that, in his opinion, the child is being educated at home, or elsewhere, in a manner equal to the standard of the public schools of the province." This statute unequivocally provides for home education with the phrase used by seven of the ten provinces of Canada, "at home or elsewhere". In Bill 22 the comparable statute reads, "no person is liable where the education administrative consultant certifies that in his opinion the child is currently receiving a satisfactory standard of education." The obvious deletion of "at home or elsewhere" was perhaps done for simplification; certainly it was done without knowledge of the growing Home-schooling Movement.

We therefore strongly recommend that, if Section 261 of Bill 22 will be used, then "at home or elsewhere" be maintained as in the standing Act. This will ensure that there is at least one reference to home education in the new Public Schools Act.

Actually, we believe that home education should be recognized in a much fuller manner than this minimal reference. We think that more adequate provisions should be made in the Public Schools Act for the procedures to be followed in home education cases so that home-schooling families need not be at the mercy of the arbitrary interpretations of vague laws by individual school officials. For the purpose of such provisions concerning home education, we agree with the definitions put forward by The Manitoba Association for schooling at Home.

Do I need to repeat those for the committee, Mr. Chairman?

MR. CHAIRMAN: Whatever you wish.

MRS. ANDRIESHYN: Since I know this presentation has already been made, it's really up to the committee members if they want to hear it again.

MR. CHAIRMAN: Well, it's your prerogative.

MRS. ANDRIESHYN: Then I won't. I'll just mention that in that brief, which I refer to several times here since it was a much more detailed brief than mine is, in several cases I defer to that brief, and I think that's quite understandable.

In summary, we suggest that home education and home education program, which is what the Manitoba Association for Schooling at Home had in their brief, be defined in the Act. If they will not be defined, then at least the phrase, "at home or elsewhere" should be maintained as it stands.

Moving on to our second concern, Introduction of Compliance Legislation. Our second area of concern is that provisions for educational alternatives be stated as compliance rather than exemption legislation.

In Canada, only Ontario and Quebec have compliance legislation in this regard. The other provinces employ exemption legislation which is not only awkward, but also can lead to a very serious state of affairs as it did in our case.

In general, this is how exemption legislation works: I'd like to refer directly to Bill 22. If you want to follow me, I'm on Page 109.

In Section 260(1) Responsibilities to send child to school, the parents are made responsible to send the child to public school.

The next major section is 260(3) and this is a statement of offense. Parents guilty of an offense if they do not send the child to public school. In other words, they are immediately guilty and liable to prosecution first, regardless of whether the child is receiving alternative education or not. And it's not until we get down to 261(1) that the parents can be exempted. In other words, after the fact, pronounced innocent from prosecution if they have achieved the proper permission.

This type of legislation leads to the regrettable situation, such as in our case, where parents whose children are indeed receiving an alternative education, can be charged with truancy even while they are in the process of obtaining the permission necessary to protect them from those truancy charges.

In our case, how the problem arose specifically was when the school attendance officer insisted that we send our children to school while our case was in appeal to the Minister already. We were warned to do so under threat of prosecution. It appeared to us that any person with a bit of common sense could see that prosecution does not proceed when the basis for that prosecution is in dispute, and even entered as a legal appeal to a higher authority. Unfortunately, common sense did not prevail in this instance; the law did.

All the school officials agreed on one thing, that they were bound by the law and that the law said that they had to proceed with prosecution, or more accurately, it was their interpretation of the law that they had to proceed with prosecution. Interestingly, we were informed by all these school officials that not one of them was qualified to interpret the law. This did not stop them from doing it, despite our various attempts to bring some sanity to the situation, the school attendance officer instituted prosecution on the basis of her unqualified interpretation of the law supported by the superintendent's unqualified interpretation of the law, and the school board's unqualified interpretation of the law, and the administrative consultant's unqualified interpretation of the law, and his director's unqualified interpretation of the law.

Our family was put through an immense amount of turmoil as a result, and for what? We read in the newspaper that our case had gone to a Crown Attorney, that it was actually his decision whether or not to prosecute. Not one school official told us that this was the procedure they would follow. We would have been quite relieved, and would have been saved quite a bit of anguish, to know that a qualified person, such as a Crown Attorney, would be making the final decision, parenthetically, and apparently the Crown Attorney did not agree with the interpretation of the law of the school officials.

Consequently, we submit that when school officials at several different levels of the system can all agree on an erroneous position which causes parents and their children severe harassment, and when these school officials can base their interpretation on the Public Schools Act, then there is something drastically wrong with the wording of that Act.

Secondly, we submit that if school officials have in their hands the power to institute litigation on their personal, unqualified interpretation of the school attendance laws, then those laws must be carefully revised so as to prevent further unqualified interpretations which may subject other responsible parents to all manner of harassment.

One essential way that the Act can be reworded to prevent this same type of problem is to change the exemption section to a compliance section, and again I would refer you to the proposal by the Manitoba Association for Schooling at Home, which I will just briefly point out since it is a little bit complicated. Essentially, what the Association says in this regard is to take out the two clauses in the exemption section which deal with private schools and home schooling, and move them up right after the responsibility to send child to school. It's not changing the intent of the law any, it's only changing the emphasis from a negative emphasis to a positive emphasis.

In that case, the section 260 would read identical to what it reads now, except one phrase would be added so that the responsibility of the parent is not only to send the child to school but to also, or to otherwise ensure that satisfactory provisions are provided for the education of the child.

The title of that section which now stands at "Responsibility to send child to school" could be changed to "Responsibility for education of child" which would cover all educational alternatives in Manitoba. The emphasis is then on the education of the child instead of on the prosecution of the parent.

I'd like to add parenthetically here that there is a simpler way of changing it to compliance legislation. It's not quite as good but it may appeal to the committee, and that is what Ontario and Quebec have as compliance legislation. They don't do what I've just explained about putting all educational alternatives into a covering law. What they do is, in this exemption section, instead of saying "No person is liable to prosecution unless" . . . if the child goes to public school, if the child is educated at home, they say "A child is excused from school attendance if he is being educated at home or if he is attending public school" and there is the same compliance rather than exemption. If the parent is doing that, they are not automatically truant.

If changes of this nature were made in the new Act, then the problem of guilty until proven innocent would disappear. Parents would be presumed to be providing satisfactory provisions for their children's education until such provisions were proved to be unsatisfactory. This would not affect true truancy cases since, of course, the onus would remain with the parent to show that satisfactory provisions were being provided. Compliance legislation would differentiate home education from truancy and most importantly, would remove from responsible parents the threat of unnecessary prosecution.

As an aside, I'd like to point out that as I stand before you here today, having taught my children at home for 2-½ years, I am guilty in every respect before the eyes of the law; my children are

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truant in every respect before the eyes of the law, and as a family, we see this as being an extremely unfair situation created by the way the laws are written up.

Moving on to our third concern: Local Jurisdiction Over Home Education. In case it hasn't been clear so far, as the Act stands, the jurisdiction is in the hands of an administrative consultant, who is a member of the Department of Education, in other words, at the provincial level. What I'm going on to now is to explain why that is undesirable, why we would rather have a person approving a home education program be at the divisional level, specifically I would say the principal of the local school. And I would like to point out that I know of no parents involved in home education who would say no, we don't want the government to look at our children's education at all. The question here is not one of refusing to have government checks and balances on home education. It's a matter of how those checks and balances should be worked out to be supportive of the parents rather than to hinder them.

These are our reasons for believing that home education should be under local control prior to departmental control. Again, I am not saying we want local control only at the expense of dispensing with the Department of Education's control; local control before we would have to move up to a level of appeal at the departmental level. Our first reason is "Abuse of Power".

There exists in Manitoba law a division of power regarding home education. The Department, in other words, the administrative consultant, is given the right to grant or deny approval for home education, but the local division must assume the responsibility of prosecution in the event that the administrative consultant denies approval.

It has been our personal experience that this arrangement lends itself to an abuse of power. In our case the Department officials acted quite casually, as if they did not appreciate the gravity of our situation. This is understandable in view of the fact that there are no checks or balances on the administrative consultant when he is given power of certifying a home education program. He can, as in our case, deny approval and wash his hands of the matter because the case then goes back to the Division for prosecution.

We feel that this is an unhealthy, irresponsible arrangement. The right to grant or refuse home education approval should remain in the hands of the authorities who are also responsible for prosecution, in other words, the local school division. The Department seemed most anxious to get rid of us as soon as possible, even if it meant dismissing our case summarily on several occasions and in effect, denying us due process and natural justice. I would like to point out in there that I am not necessarily blaming the Department for acting like that; I would not want to be the Department having to deal with home education cases either. I quite understand the Department's point of view, it's frankly, I am sure, a pain in the neck for them to have to cope with home education cases. That our family managed to survive through all those months of departmental bureaucracy is a testimony to our tenacity and not their co-operation. Perhaps our treatment at the hands of our local division would not be any better if we had local control but certainly, it wouldn't be any worse.

Our second reason for believing that local control would be better than departmental control over home education is that there is more responsiveness at the local level. We feel that it is difficult for the department to be responsive to home education cases. The department is a bureaucracy that deals with the administration of the school system, that's its job, not with parents and children. We think a local principal would be better suited to this responsibility because he would be experienced in dealing with parents and students and would be more responsive to the circumstances of a particular case in view of the fact that he is a member of the community and involved with its everyday life, in a sense of being involved with the children at school and the parents of those children.

Our third reason for believing local control would be to the support of home education parents, by comparison to departmental control, is that we believe a principal is better qualified to judge a home education case because he is intimately involved in the programs and evaluations of students and could quickly evaluate the results of a home education program in relation to his everyday experiences.

By comparison, in our case, we were told that it was necessary for the Department to call in subject area consultants to review our children's work. We feel that this is a complicated and expensive way of assessing material that our local principal could probably have evaluated quickly and expertly. And, by the way, I did ask the Department to use our local principal as a consultant on our case and since I have a lot of faith in this particular principal, I felt that he would do a just job and I've been informed that he was not called in.

One more point is that — and this is why it seems so strange to me that he was not used as a consultant — we were told by the Department of Education that according to the statute that is standing right now, in other words, that our program has to be equal to the standard of the public schools of the province, that the equality had to be congruent with our public school, in

other words, Anola Public School. It seemed most logical to us then, that the person who knew most about Anola Public School, in other words, the principal, should have been the first person to give his opinion on our program and yet he was not called in at all.

For these reasons we recommend that the most efficient and inexpensive — and I underline that — I have no idea what our case has cost the Government of Manitoba. I know what it has cost us and I'm sure the costs of the government have been even more.

The most efficient and inexpensive means of evaluating home education programs is to delegate such responsibility to the local principal rather than to the administrative consultant. Moving on to a fourth area of concern:

Satisfactory education — and that should really have been in quotation marks since I'm using that right from Bill 22, the words that stand now in the revisions in the clause governing home education.

If it were appropriate I would applaud at this point and actually we really do applaud the deletion of the phrase "equal to the standard of the public schools of the province". Whoever was responsible for taking that phrase out of the laws, I take my hat off to them. From our own experience we have found that such a phrase of equivalency lends itself to the interpretation that "equal to" means "identical with" or "the same as" thus creating many, many problems.

The new phrase as it stands in the revisions is "satisfactory standard of education". Now that is far superior to the old phrase but we would strongly advise the deletion of the word "standard". The word does not appear in the legislation of any of the other provinces, regarding home education. That whole phrase "equal to the standards of the public schools of the province" does not appear in any other legislation across Canada and neither does the word "standard" in any of the provinces. It does appear in the legislation of one of the Territories in the Yukon but also in the Yukon you can leave school when you've completed Grade 8 education because there is a very different milieu surrounding education up there.

We can assure this committee that if the word "standard" is left in the Act that it will only create aggravation. It will not affect the intent of the law to delete the word "standard" since the phrase would simply read then, "satisfactory education" which really is not very much — I can't see any difference between "satisfactory standard of education" and "satisfactory education" except that if the word "standard" is left in, it will undoubtedly cause problems.

Going on from that point then, that the phrase would be "satisfactory education" or as the Association for Schooling at Home would prefer "satisfactory provisions" added into Section 260. Let's look at how this would be instituted, how it would actually work.

I'd like to point out also — and I don't know where the people who made up the revisions got the phrase "satisfactory" from. When I saw it the first thing I thought of was three notices that we have received, notifying us that we were going to be prosecuted. The wording for these notices is found on Page 115 of Bill 22, it's called Schedule A, and in the middle of it, it reads — and I like this phrasing very much even though every time I got one of these it wasn't a pleasant experience — it says you are required to make your children attend school and "continue in regular attendance throughout the period during which the child is required by The Public Schools Act to attend school regularly, or make satisfactory provisions for the education of the child", and this is where I know that the Home School Association took their phrase, "satisfactory provisions for the education of the child".

All right. Looking at that phrase. We think this is an excellent phrase, "satisfactory education" along with "satisfactory provisions" is an excellent phrase. We think these terms should be used solely instead of the bug-a-boo "standard" because, first of all, there is no legal standard. And I read these following remarks, quite aware of the Honourable Minister's remarks which were published in the paper yesterday about "standard".

Any standard which the Department of Education could write down on paper, would not be binding because in Manitoba law, children are not guaranteed an education. I do not know if all the committee members are aware of this but the only guarantee for children is that they will have facilities and teachers.

Now, what would happen if the department did set out an educational standard? Then the department would be liable to ensure that every child in public school reached that exact standard. This is why very few public school acts anywhere guarantee children an education because the government could end up being swamped with court cases from parents suing them for not providing their children with that published standard. This has already happened in the States and of course, as the cases have gone, the parents have lost because the department or whatever, the Board of Education or whatever it's called, can find all sorts of loopholes for getting out of why they don't have to provide that child with that standard. In other words, the child can go all the way — this is one case that came up in the States — a 15-year-old who had finished school and on behalf of this child the parents sued because they felt that he perhaps knew less when he came out than

when he went in; and even though the state in which they were bringing up this case did provide for the education of the child, the parents did not win the case.

Now, what the government, as the Department of Education, does have the legally stated right to ensure in a home education program is that the child is being educated satisfactorily or at least is engaged in educational process, and that's quite different from saying the child has to be at this standard of education, or that one, or that one, or this other one.

It would be difficult for the department to insist on anything more exact than this because many parents, who will be choosing this alternative of home education, will do so because one of the key advantages to home education is that it provides individualized one-to-one instruction.

Home education can be tailored to the needs of an individual child so that that child can, in fact, progress at an individual pace. Not a lip service type of thing that very often happens in the schools but can, in fact, progress at an individual pace.

An individualized education should be evaluated in a congruent manner. That is, according to the child's individual progress and according to the method of education by which that child was taught. There should be no need to apply the standards and the evaluation methods of the public schools to a home education program, which is so totally different from the public schools. In fact, a growing number of parents like ourselves, are refusing that type of evaluation. The method of evaluation should be consistent and continuous with the educational methodology employed.

One fact I'd like to point out to the committee is that, if we as a family seem to be a bit radical in the type of evaluation we expect for our children, all I can say is you're lucky that our children aren't in the public school system, because if our children were in the public school system one of the very first things that I would refuse is to have my children tested in the way that testing is starting to be used quite heavily now, that is from the departmental level. So this is not a concern of mine only, as pertains our home education program, it is a concern of mine as a parent and that concern would be there whether my children are at home or in public schools.

Okay, in other words, "satisfactory" should be defined as to the benefit of the individual child and each case, if necessary, should be evaluated individually. The onus would be on the parent to prove that the child is progressing educationally at his own rate. If the person responsible for approving a home education program is satisfied that the child is, in fact, progressing and this progress appears to be to the benefit of the child, then the home education program should be approved as satisfactory.

There are no home education families in Manitoba, that I know of, who will argue with that definition of "satisfactory". But there are plenty of parents with children in the public school system who would be more than thankful if their children received such satisfactory education in public school.

Moving on to our fifth concern: The Enquiry and the Appeal Processes — Both of these processes need to be delineated in the Act. The enquiry into the home education program which now is, the administrative consultant certifies the program in some way. We support the recommendation made by the Manitoba Association for Schooling at Home and this is made in a very detailed way in their brief, which I'll simply summarize:

That this process of looking into the home education program be modelled on Ontario law. Ontario right now is the only province that does provide in their laws for a detailed description of how the enquiry should go on.

The Home and School Association proposal is a further improvement because aside from allowing the way in which this enquiry should go on, it also allows for a probationary period to enable responsible parents who have been refused approval to meet whatever requirements may be necessary to make their program satisfactory.

For example, in our case we were not allowed such just treatment. In fact, we were never even told what was wrong with our program. I would just like to bring up one point about that to show you how important this is.

The material that we submitted to the department was extremely detailed. We submitted 150 pages of material plus one cassette tape, plus a 500-page novel indicative of the type of reading one of our children was doing. Now in response to all that material, we received a one-sentence refusal and any further attempts, on my part, to get more information were declined.

I wanted to point that out to show that I think a very valid injustice can take place here if the responsibility, the onus is not on the school authorities to prove that the Home Education Program is inadequate. Like, in our case, it was simply rejected out of hand; I don't think that is an adequate way of dealing with a home education program.

Moving down then to the Appeal Process. Section 274, which allows for Appeal to the Minister if one is grieved with the decision of a Principle Administration Officer, or School Attendance Officer, is an essential part of the Act because the right of appeal is basic to the democratic process. And I would like to point out to the Committee that Manitoba, in this respect, is quite far ahead of

most of the other provinces in Canada. I believe, there is only one other province in Canada that allows for an appeal in connection with home education, and that's Ontario. We found, in our case, that if it wasn't for this section we would probably already be right in the middle of a court case.

As the statute stands, on appeal, right now, it is fine, it is excellent. All that needs to be added to this particular statute is:

1. that the appeal process does not end with the Minister. The way the statute now reads, it says, "the Minister's decision is final", which is true, it's final within the department, but the Minister's decision can be appealed to the Provincial Ombudsman. And, I think, some sort of indication should be made in these revisions that there is that further legal avenue of appeal.

I want to be insistent about this because we found that in our case no one told us about avenues of appeal, and, even after I finished reading The Schools Act I didn't know about the avenue of appeal to the Ombudsman, I was informed by, as a matter of fact, the Manitoba Association of Rights and Liberties, of this appeal. And, I think, that that creates a certain amount of unfairness if parents aren't made aware of exactly what their rights are in the matter of appeal.

The a Appeal to the Minister should be further delineated as it is in other sections of the Act regarding other appeal situations.

I don't mean this necessarily to be right there in the statutes, this could be something put into the regulations. But I do feel that something very concrete should be written down about the appeal situation to the Minister, how it should proceed.

Specifically for home-schooling cases there should be a tribunal-type of appeal body at the ministerial level. It is important that people, other than those who work for the public school system, sit on this tribunal to ensure that home education programs are evaluated from points of view other than that of the prevailing educational methodology of the public school system, which is often very unlike individualized home study programs.

What I mean there, for example, would be rather than as the appeal process seems to work right now, a case that has gone through an Administrative Consultant, such as our case, is then referred to another Administrative Consultant. Now, that to me isn't the way appeals should go. Appeals usually go to a higher authority.

And, in the case of home education, we would feel some sort of a tribunal would work well, especially if a person on that tribunal were someone, say, like an educational psychologist or someone from the Faculty of Education, who knew about education methodology further than the people who were working right in the Department of Education, and, in a sense, have a limited horizon because they are working simply with the public schools.

Our sixth concern, and these concerns are not very important and I'll just go through them quickly. About the School Attendance Officer, from our own experience, we have discovered two areas that need to be further clarified in the Act regarding the powers of the School Attendance Officer. The first one:

Removing the child from home. There are two sections dealing with the School Attendance Officer; her powers to go and get children, either to go out into the community and get them, or to go — I'm not sure where but to go somewhere else and get them — and take them to school, or to take them from school to home. And what came up in our particular case was the School Attendance Officer could not tell me whether or not she was empowered to come to our house and take our children out of our house, and luckily she didn't. However, that problem still sits there in the law.

Ontario law provides this protection that the School Attendance Officer can only enter a dwelling with a warrant. As the Act now reads the School Attendance Officer does not need a warrant to go anywhere that she, or he, interprets that he can go. All right, Ontario provides this protection and we believe that Manitoba law should also. Just as it was possible for the School Attendance Officer to interpret the Act to mean that we should be prosecuted during the appeal process, likewise, the same School Attendance Officer could have interpreted this section as giving her the right to enter our home to take our children to school or elsewhere. There has been two cases in Ontario, where attendance officers have attempted to take children out of the home, period. In other words, acting almost as child welfare people taking the children away from parents for state control.

And the other point about the School Attendance Officer, regarding her power to institute prosecution. We believe that the School Attendance Officer should be obliged to notify parents, in writing, if litigation has been proceeded upon in any way by the said officer. As the revisions, and the Standing Act read, the School Attendance Officer just goes ahead and does that. And, what happened in our case, is we didn't even know it had happened, except we read the newspaper and saw it there. And I don't think that that's a professional way of handling something as important as litigation.

Turning to our last concern, and as I mentioned at the beginning, our very most important

the Statute entitled Regulations.

It is under this section, especially, that we feel the most help can be given to correcting the inequities presently confronting home-education families in Manitoba.

You'll have to bear with my typographical errors in the last six pages; it was a choice of correcting my errors or coming here and I decided to come here.

I am going to read this to you since I feel it is important to the Home Education Movement, as such. carrying out the provisions of this part, according to their intent, the Minister may make such regulations as are ancillary thereto, and in accordance with the authority granted by this section, has the force of law."

We strongly recommend, above all other considerations in this brief, that a Committee be established to study the problems concerning home education approval in Manitoba, and make recommendations to the Minister concerning their solution. We think this committee should consist of at least these key people: First of all the Director of the External Administrative Support Unit; secondly the Director of Administration; thirdly, the Principal of the Correspondence Branch since many home education parents simply want permission to take correspondence courses and often they are thwarted in that very simple attempt, not by the Principal of the Correspondence Branch, by lower people down the scale who don't understand that it is quite possible to take correspondence courses simply by getting an approval from the Superintendent and such. The people that I am listing on this list are not being faulted in any way. These are the people that I feel know what's going on, and the people whose knowledge, if it were disseminated across the school system in the province would do much to support home education families. And fourthly, in this committee, two parent representatives from the Manitoba Association for Schooling at Home.

The goals of such a study committee would be twofold. First of all to draw up an acceptable appeal procedure, specifically to provide for some sort of a home education review board; and secondly, to draw up a list of regulations pertaining to home education in Manitoba. Though the position of the administration of the department is fundamentally sound — and I say that in total sincerity — aside from the problems that we have had — and I must say that our case is rather special — aside from our problems I agree that the position that the Department of Education takes on home education is really quite good.

Some of this policy needs clarification, not drastic changes, simply points of clarification. More importantly the policy, even as it now stands, needs to be set down in writing and disseminated throughout the school system since many — I would say most — of the problems that parents run into are as a result of misconceptions or lack of knowledge about the status of home education on behalf of local school officials. I'd like to cite just one example to show you what I am talking about there.

There is presently a woman in northern Manitoba who has asked permission from her principal to teach her child at home; she has asked permission from her superintendent to teach her child at home; she is totally willing to take the correspondence courses; she wants to take the correspondence courses. On top of all that she has a medical certificate from her doctor saying that her child should not attend public school for reasons of health. Despite all this she has been told by the principal, by her superintendent, that they will never "never" give her permission to teach her child at home. This is a really unfortunate situation since the very fact that she has a medical certificate in her hand means that she doesn't even have to go to the principal and superintendent, she could simply go right to the Correspondence Branch and get the correspondence courses free, but she came to my attention because of the problems she was having. She didn't know where else to go and couldn't believe that it could be that simple, after having being told by these two very powerful people in her local educational system that, no, she could not teach her child at home. And, again, I'm not necessarily faulting the principal and superintendent in that case because their problem is basically just one of not knowing what the laws actually are. And, I am sure, were they made aware of the administration's policy on home education, the correspondence branch regulations concerning home education, there wouldn't have been a problem at all.

To summarize then. This section 276 states that Regulations are "for the purpose of carrying out the provisions of this Part according to their intent".

The intent of the standing Act on the subject of home education is obvious. Home education is intended to be a viable educational alternative in Manitoba.

The problems besetting home education seem to develop when the educational bureaucracy begins to interpret its role as the guardian of the law which governs home education. Certainly, there is a need for reasonable checks and balances, but at the same time those checks and balances should not be manipulated in such a way as to present responsible parents from teaching their children at home.

Thirty years ago Canada signed the United Nations Universal Declaration of Human Rights. Article

25 of that Declaration states:

"Parents have a prior right to choose the kind of education which shall be given to their children."

It follows from this statement and from the intent of the Manitoba law which provides for the alternative of home education, that the onus should be on the school system to support rather than hinder responsible families who wish to avail their children of their legally provided right to a home education.

Thank you, gentlemen.

MR. CHAIRMAN: Thank you, Mrs. Andrieshyn.
Mr. Walding.

MR. WALDING: Thank you, Mr. Chairman.

Mrs. Andrieshyn, I have a few questions I would like to pose to you. When you began your brief you mentioned to us that your particular case was presently under review or appeal or something. . .

MRS. ANDRIESHYN: Appeal, yes.

MR. WALDING: . . . with the Department, and so you wouldn't discuss it. Yet consistently through your brief you mentioned your own experiences in this matter.

MRS. ANDRIESHYN: No, at the beginning I said I would not discuss the issue under dispute in my case, but I would refer to my case as it was relevant to the Statutes here under study.

I have not gone into the issues in our case, I assure you.

MR. WALDING: I just wondered if you were really being fair to the Minister by making such references to it when he has the matter under discussion and consideration.

MRS. ANDRIESHYN: I specifically did not make reference to the matters that are under discussion with the Minister.

MR. WALDING: Thank you.

Two phrases I noted in your brief on page 5, you said the onus would remain on the parent to show that satisfactory provisions were being provided. On page 7, you say that the onus must be on the school authorities to prove that home education program is inadequate. Are those two statements not inconsistent?

MRS. ANDRIESHYN: No. The onus is on the parents first of all to show that what program they have for their child is satisfactory. That is their statement of compliance to the school act. We are providing a satisfactory education for our children and this is our proof. It is then, I think, the onus is on the school authorities to prove that that is unsatisfactory before they deny approval.

MR. WALDING: I am not sure that I follow that. You are saying that the onus is on both sides
. . .

MRS. ANDRIESHYN: Definitely there is an onus on both sides. The parents are responsible to do something and on the other side the Department, or the school authorities, are responsible to do something. The responsibility has to be on both sides or it would be an irresponsible arrangement.

MR. WALDING: You mentioned on a couple of occasions an appeal process, you mentioned the Ombudsman and you mentioned a tribunal, I am not clear what it is that you are referring to. Are you referring there to some form of appeal from the Minister's decision? You mention an appeal to the Ombudsman, and I presume you know that the Ombudsman cannot overrule or overturn a Minister's decision, so you might be bringing it to his attention, but it is not an appeal in the normal sense that you are appealing to a body that can reverse a lower decision. Can you expand a little bit on your reference to appeal and to a tribunal?

MRS. ANDRIESHYN: Yes. Ideally this is how I would say it should work. When a home education program comes to the attention of the school authorities the parents should be referred to their local school principal. If he inquires into their program in which ever way that he feels is appropriate,

that is by having — for example, in our case I would go down and visit the local school principal, talk to him about how education proceeds at home — I have done this as a matter of fact — and if he so requires, present him with samples of my children's work, whatever he wants. Now if he gives a negative decision, he says, no, I don't think this is a satisfactory program, then there should be an appeal open to a higher level, in other words, the Department of Education.

Now at the Department of Education level I would prefer that there were a tribunal, rather than a single administrative consultant. For the reasons that I mentioned in here, is that administrative consultants are familiar mostly with the public school system and home education programs, such as ours, are very very different from the public school system. So I would suggest like a home education review board, consisting perhaps of an administrative consultant; of someone from the Faculty of Education, who would have more knowledge of educational alternative methods. Perhaps a person from the Home Schooling Association, who would be supportive, that the intent of such an appeal body would be to be supportive through their knowledge of home education. In other words, they knew what was going on, they knew what these parents were trying to achieve, they were not there to obstruct the parents, but to give the parents a fair hearing. That is what I would suggest in place of the appeal process that now seems to be present, whereby the appeal is simply heard by an administrative consultant and I assume the Minister makes the decision final to that.

Now, what I would say, such a review board or tribunal, whatever, of course, would be acting as the Minister's representative. It would be the Minister who would make the final statement on the appeal.

Now, further to that, I think it should somehow be pointed out that if the Minister's appeal, the appeal to the Minister is ruled against or there is a negative decision, that however the wording would go, it should be pointed out that the parents can go from there to the Ombudsman. I am aware of what you are saying, that he cannot reverse the Minister's decision, he can simply look at the matter and if he feels that it is appropriate he can turn it back to the Minister, or I believe he can go the other direction. He can take it to the Legislature and in a final resort if nothing is happening, I believe his final ace in the hole is to use the media. All of this is, I assume, apply pressure on the Minister.

Whatever the process is, I think it should somehow be mentioned there that parents do have one other — if it is not an actual appeal then, one other source of recourse after the Minister, there's one more place they can take their case before going to court. That was my point for making that.

MR. WALDING: You missed out perhaps the most important recourse of all and that is the next election. However, you are now suggesting then that if the parent is not satisfied with the principal's decision, it can go to some form of tribunal or appeal body within the Department. If the parent is not satisfied with that decision, do you see that as being final or that it still should be referred further to the Minister?

MRS. ANDRIESHYN: No, I don't, because I would feel that such a tribunal would be such a fair body that there wouldn't be any necessity for an extra step, like if it went from the tribunal to the Minister, then what would the Minister do with it? You know, he would have to go out and find himself another fair body to deal with it. You know, this would be the Ministerial appeal, would be to a tribunal.

MR. WALDING: Given that the Minister is the elected member of the government in charge of all education in the province, should he not have a say in the matter? After all, he is the one who is responsible to the Legislature, suppose he does not agree with what the tribunal says? Is he going to be bound against his wishes or his policy or something?

MRS. ANDRIESHYN: Oh, definitely not. I was trying to be easy by saying not to send it up to the Minister. Definitely, as far as I am concerned, speaking on behalf of parents, the more steps of appeal that are in there, the better it is for parents. You know, if you really want to talk about ideal things, I would like to see a home education program first go to the principal, if it is not approved there go to the administrative consultant for that division, if it is not approved there go to a tribunal, if it is not approved there go to the Minister of Education, and then recourse still to the Ombudsman. As far as I am concerned as many steps in the appeal process that you put in, the fairer it is for parents, and I would not want to deprive the Minister in any way of any of his rights in that. As I am saying this is something that I haven't gone up and made up my mind on, this is something that I am suggesting that a committee would study, and I would imagine those are the concerns that would come out of such a study committee.

MR. WALDING: Another question, you use the expression "satisfactory education" and so did the other group that came to us the other night, can you define for us what you mean by satisfactory education? Satisfactory to whom?

MRS. ANDRIESHYN: In the context of these laws, satisfactory to both the parents and the school authorities.

MR. WALDING: The school authorities, did you say?

MRS. ANDRIESHYN: Uh-huh. .

MR. WALDING: Now again, which school authorities would say that this is satisfactory or it is not satisfactory?

MRS. ANDRIESHYN: Again then, we get into the whole process. Your first school authority would be your principal. If he says it is not satisfactory, then you would go on and let's say to your administrative consultant. In other words, going up through the heirarchy of the school authorities.

MR. WALDING: The delegation that came in to see us on this matter the other day said that the only criterion should be satisfactory to the child, because it was the child's education that was under discussion and that without having tests here and tests there, it was only satisfactory that that child should be prepared to take his place in the adult world at the age of eighteen or something.

MRS. ANDRIESHYN: Yes, well, I would state it myself that same way if I were speaking in strictly idealistic terms, yes, but I was trying to take the idea of "satisfactory" and put it into more practical terms, how it could actually be dealt with in real life. But, yes, I would restate that same concern, that the ultimate view of "satisfactory" should be that it is satisfactory to the child's life, satisfactory to make making that child into a responsible and independent adult.

MR. WALDING: Then you, as a parent, would be taking the sole responsibility for that child's education up to adulthood. Suppose you find you are wrong? It is a pretty heavy responsibility to take on, are you prepared to risk that?

MRS. ANDRIESHYN: By having children I took on that risk.

MR. WALDING: Okay, thank you.

I had just one further point to make. You mentioned earlier in your brief that the numbers of parents choosing to provide home education is increasing and you expect a rapid increase in the future. I am not sure whether rapid was the word used, but you expected it to — increasing numbers was the. . . Do you feel that that process is weakening the public school system?

MRS. ANDRIESHYN: As it is perceived at this moment, yes. As it is perceived in a total perspective of how the school system is evolving, no. There are many divisive forces right now working on the school system. Home education is one of the smallest ones right now. There are declining enrolments, there are teacher strikes, there are parents' rights movements springing up all over, there are teachers' rights movements, all of these things and there's also tightening of the purse strings. All of these things are working to the detriment of the present public school system.

The public school system as we look at it — no, not now, as we look at the public school system ten years ago, where it was perhaps at its peak, where we were building better and bigger schools as fast as we could and pouring thousands, millions of dollars into equipment in those schools, encouraging students to take teacher-training courses, that this was a really exciting profession with a lot of future to it, and for the information of the committee, I am a teacher. I taught in the public school system of Manitoba, I got my teacher training at the University of Manitoba, and I have been a principal in the public school system. And looking at the public school system that I was in when I was in it, it's a totally different picture than what I see looking at the public school system today. It's already beginning to — I think the word to use is "crumble" in many ways.

I don't see that as being totally bad. As a matter of fact, I don't see that as being bad at all. I would like some day to see my children using the public school system, and I think that this is completely possible, once the public school system evolves a bit further, and all these things that we see right now as being detrimental to the present public school system, I see only as an evolution

of the public school system into something better.

Back in the 1960s, when a lot of reform started going on in the schools, the great movement towards the humanism in schools, this was a really, really good movement, and the effects in our schools are there today. You walk into a school today compared to walking into a school in the 1950s, there's no comparison. They're much, much better places. If I had to go to school, I'd much rather go to a school today than when I went to school. They were terrible places.

Now, the schools are going to get better as far as I am concerned, and one of the ways they're going to get better is that there's going to be so much pressure put on the schools to change, that they're going to change for the better. For example, I'd like to quote Imogene McIntyre, who is a Professor of Education at the University of Manitoba. She was quoted in an article in the Winnipeg Free Press as saying that she's all for non-compulsory education. The reason she is is that she says this will make the schools better places for children and for teachers. I would be very, very happy to see non-compulsory education come about. I'm quite convinced it will eventually, and when it does, when the schools become very open community-oriented centres, I could even see myself teaching in public schools again, and I would be very happy to see my children using the public schools when they were non-compulsory.

To round off about your question, is the home education movement hurting the public school system right now? Yes, but not any more than all the other factors that are detracting from it right now. This is just one of them.

MR. WALDING: You mentioned as one of the factors, teachers' strikes. Surely you don't mean that.

MRS. ANDRIESHYN: That it's a detriment to the system? I'm just clarifying your question.

MR. WALDING: You were listing the things that were working against the public school system and you mentioned teachers' strikes. Can you give me an instance of a teachers' strike in Manitoba?

MRS. ANDRIESHYN: No, I don't know of one in Manitoba. I'm citing just in the school system in general as it exists, as a . compulsory school system in the western world.

MR. WALDING: You might be aware that Bill 22 says that no teacher shall strike.

MRS. ANDRIESHYN: Yes.

MR. WALDING: You say that this is just a very small matter in working to the detriment of the school system. However, it is cumulative, and it adds just one more thing that is tending to undermine the school system. You say that it's crumbling, and that this doesn't bother you. But it bothers me and I believe it bothers the committee too, and that's one reason why we're sitting here and listening to people, not to see it crumble and be replaced with something else, but to find out how it might be improved.

One reason why this home education matter is of concern to us is that so many provincial grants paid to school divisions are on a per student basis. Every student that is removed from that school division decreases a whole long list of grants that is left to educate those children who are left in that system after your children and a few other people's children are removed from it. The same difficulty is encountered with private schools. Thank you. I have no more questions.

MR. CHAIRMAN: Mr. Brown.

MR. BROWN: On Page 9 of your brief where you summarize, I think that you come up with one of the difficulties that the department would be encountering in home education, and I would like to quote from the third paragraph of your brief. "Certainly there is a need for reasonable checks and balances, but at the same time those checks and balances should not be manipulated in such a way as to prevent responsible parents from teaching their children at home." How would you define a responsible parent, how would you define an irresponsible parent, and who do you think should make that decision?

MRS. ANDRIESHYN: "Responsible parent" as used in this brief was used as a descriptive term to differentiate the parent who will, on taking their child out of school, provide that child with an alternative education as opposed to the type of parent who would let their child be absent from school and not provide an education for that child.

MR. BROWN: Who do you think should determine then whether it was a responsible parent or an irresponsible parent?

MRS. ANDRIESHYN: That would be determined in the process of looking at the home education program that that parent is responsible for providing to the school authorities. In other words, if the home education program went all the way through all the steps of appeal, and went through court, and was judged in court to be inadequate education, I would agree then that that parent could be termed irresponsible.

MR. BROWN: Thank you, Mr. Chairman.

MR. CHAIRMAN: Mr. Hanuschak.

MR. HANUSCHAK: Yes, I was interested by Mrs. Andrieshyn's comments or her attitude toward the concept of non-compulsory education. I take it that you support that concept of non-compulsory education?

MRS. ANDRIESHYN: Yes, I do support the concept of non-compulsory education as an ideal to which I see the present system evolving. I don't support it as something anarchistic that should happen tomorrow.

MR. HANUSCHAK: I understand. So if I understand you correctly, this should be the parents' prerogative to determine whether the parents wish to educate, or do not wish to educate or teach their children, or to have their children taught. Is that correct?

MRS. ANDRIESHYN: The philosophy behind non-compulsory schooling puts the right to choose education on the child, not the parent.

MR. HANUSCHAK: Within the parameters of that philosophy, is there also a right to choose an education, or the right not to choose an education?

MRS. ANDRIESHYN: Yes. To quote again, Dr. Imogene McIntyre from the University of Manitoba, in a speech that she made on the radio concerning non-compulsory schooling, she described the evolving of it this way: That by the time non-compulsory schooling does actually come about in our school system, the type of children that will be at that time will be responsible enough to make those choices on their own. What she is saying is that there is a process of growth going on amongst children of each succeeding generation. I am much more independent and a much more free person than my parents were. Likewise my parents were more independent and free than their parents, etc.

She is projecting it the other way, saying that by the time we get around to having non-compulsory education, it won't be anything surprising at all, that our attitudes and society, the way that we raise our children, will have developed to such a stage of allowing children responsibilities and rights, that it will just follow naturally, to allow them the choice of their education.

MR. HANUSCHAK: I'm not quite clear, the choice of their education, but I understood you to say earlier that you believed that they ought to have the choice to acquire an education or, on the other hand, not to acquire it.

MRS. ANDRIESHYN: I'm sorry. I interpreted your question as meaning the choice to go to school or not to go to school.

MR. HANUSCHAK: No.

MRS. ANDRIESHYN: My apologies. Quite obviously, in non-compulsory schooling, the child would have the choice to go to school or not to go to school. Yes, by extension, the child would have the choice to acquire or not to acquire an education, though I don't like to put it in those terms because when you talk about children's rights and the growth of children as responsible beings, the underlying assumption is that as children are able to get these rights in society, they will be at the same time freed from a lot of compulsions and therefore because they have been able to conduct more of their life on their own, they will want to learn.

MR. HANUSCHAK: That's a supposition, that they would want to learn.

MRS. ANDRIESHYN: Yes and no. Let's say, yes, there's a phase there that they would want to learn but there is also a lot of developmental proof. I'm talking about child psychology here where children left to motivate themselves and to direct their own learning, do so, that it is an inborn drive in children, and for any of you who have babies, I'm sure you know that. To try to keep a baby out of anything, that's all babies want to do. And that's all two year olds want to do. And three year olds and four year olds, and five year olds. And then you get to six year olds when they're in school all day, and most of them sit in school under a system of compulsory education which forces them to learn what they do not want to learn, and this is the point here, that then children rebel against learning. Then they don't want to learn when they do not have the responsibility, the right to choose what they, themselves, want to learn.

MR. HANUSCHAK: I believe you had expressed some, or at least I thought I detected some lack of confidence in our psychologists, what have you in our school system. Am I correct in that? I think you said you wouldn't want your children tested with the form of testing that we have, and so forth I thought there was some direct or indirect reference to the psychologists in our school system.

MRS. ANDRIESHYN: Oh no, that was not aimed directly at psychologists or administrators or anyone who administers tests or anything like that. That was simply aimed at the function of testing in schools.

MR. HANUSCHAK: But in the same breath, you cite as an authority, some research apparently done by the same breed of psychologists and others operating within this education system of which you are so critical. You know one doesn't seem to square with the other.

MRS. ANDRIESHYN: When I was speaking of child psychology, I wasn't speaking of child psychology as it's used in the public school system. I was speaking of it more in a developmental terms, basically related to the pre-school ages, since most children once they hit age five or six, or in the public school system, the only time a psychologist gets a chance to study a child who has not been forced to learn is a child that has not gone to public school.

MR. HANUSCHAK: Yes, if I may just go back for a moment to this notion that it ought to be the child's right to determine whether he or she wishes to acquire an education or not.

Now I'm concerned about the rights of my child, who hopes and expects to grow up and find its place in a literate society, and do you not feel that that's an encroachment upon the rights of my child who has that hope and expectation of the system of government to develop and train a literate society and hear all these people who choose not to become literate?

MRS. ANDRIESHYN: Your assumption there is that because children have the right not to go to school, therefore they want to become illiterate.

MR. HANUSCHAK: Yes, let's assume that that occurs in some cases; I'm not saying one necessarily follows from the other, but let's assume that it does. The child says no, I don't want to learn, that's it.

MRS. ANDRIESHYN: This occurs now in school all the time, all the time. The child says, I don't want to learn, and what happens? that child can sit there for twelve years and not learn.

MR. HANUSCHAK: Yes. I'm the parent of a pre-school child and I have heard of home education, and I have read your brief, but on the basis of it I cannot really determine whether I want to send my child to a public school, a traditional type of school as it were such as most of us have attended, or whether I want to offer my child home education. What advice could you offer me in assisting me to make a decision on what type of education I should offer my child?

MRS. ANDRIESHYN: First of all, I wouldn't offer you any advice; if you were asking me right now, this moment, as you asked right now?

MR. HANUSCHAK: Yes, I want to know, because I've heard of home education and I'm aware of the existence of schools as they have existed and my child is approaching school age, and I want to decide whether I want to teach my child at home. Would it be better for my child to teach

it at home or should I send it to the traditional school system, and could you offer me some assistance that would enable me to make that decision?

MRS. ANDRIESHYN: All right, right now, this moment, today, if you were such a parent, I would say to you, above anything else, next Friday evening at 8:30, go to the University of Winnipeg and listen to John Holt who is speaking on the subject of the child's place in modern society, and if you like what he's got to say, read his books. And if you like what his books have got to say, then come and talk to me about it.

MR. HANUSCHAK: Well, yes, okay. Next Friday evening I am busy, I can't hear him, and so is Mr. Kovnats. But, you know, the plans have to be made now and in fact my wife and I are at a loss to know, you know, what should we discuss between ourselves in respect to our . . . what factors should we consider, what factors should we look at even in making a decision in principle or in making some determination in what direction we should head. Should we look at the public school system or should we be thinking seriously in terms of making the necessary plans and arrangements to offer our child a home education program? And you see, I have none of the problems that some of the people offering home education have. My child is not ill; there is no travel problem; there is no distance problem, the public school is across the street from me; no religious problems of any kind that I can anticipate; but I really want to know if this is an alternative form of education — one of the alternative forms of education. You see, I've made a decision as between the public school system and the private school system as it now exists and I think that I would favour the public school system as between those two. But then during these hearings, I have become more aware of home education and now I want to make the decision as between the public school system and the home education. So again I ask you, one who obviously studied this issue, what factors, what questions should I ask myself, as it were, to determine whether I should teach my child at home or enroll him in a public school?

MRS. ANDRIESHYN: I think what I would say to you . . . first of all, this is a decision that has to come totally from yourself because most of these decisions are intuitive, they are not logical, and that it is up to you and your wife to decide what you want for your child in their total education, and to sit down and seriously see if that can be achieved better by sending your child to public school or to private school. And I would add further, if you want more information about why people do want to teach their children at home, that you would have to read some books.

MR. HANUSCHAK: I would have to read some books?

MRS. ANDRIESHYN: byes.

MR. HANUSCHAK: I will attempt to read the books.

MR. CHAIRMAN: Mr. Boyce.

MR. BOYCE: First of all, Mrs. Andrieshyn, I want to thank you for coming and for as best you can, to keep your own personal frustration out of what you are telling us. But I would just like to put on the record, Mr. Chairman, that the Minister is put into an awkward position and he would be best advised not to comment at all at this time, so his silence certainly could not be construed as disinterest.

Your basic tenet I support absolutely, that the responsibility, the education of children, is the parents, and in listening to your comments throughout the brief, that much of what you had to say, you know, you really can't argue with but I'm glad you mentioned you had been in the system, because albeit those people of us who are in the system who feel as I do, and there are a goodly number of people within the system that feel so, from time to time we are advised by, well, somebody used the term quacks or something, and you can get this bunch of quacks on this side and this bunch of quacks on that side, and we still have to make the judgment of what we will do within a system in the best interests of the parents and the students but recall Cuisenaire, PSCS, Chem studies, all the other things that they have tried and we all proceed on assumptions, that a child will develop stages for learning and all the rest of it, but some of these things to by the board, because we really don't know; there's no degree of certainty we can ascertain whether any program that we put in place will accomplish that which we want to accomplish.

And when you mention such things as Cuisenaire, one of the difficulties was that the children would go home to their parents, and it's a new course in Mathematics, they weren't familiar with it, so the teachers are put in a very awkward position that they haven't got the family support behind

this new approach to it.

I think most teachers, most teachers — there are some who wouldn't, but most teachers, if they knew the parents better, they see themselves as but extensions and they try to teach as best they can, the family milieu, and I will use as an example, as a biology teacher, if some youngster is of a family that takes Genesis as absolute, I would think I would be most irresponsible in not dealing with that youngster in the light of what he is taught to believe. In fact, I have had occasion where people talk about evolution and they come from strict families who give their children tenets and they believe them, and after saying this is what some people believe about Darwin's theory, they ask me what I believe and I had to tell them honestly that I believe in the totality of things and that there is a design. I don't try and preach my particular slant of Christianity, but is it not what you're really saying — and I want to thank you again for your statement — that it is part of an evolving system.

May I digress from my question just for a moment. If it were only that people such as the Renaissance group and the other group, could muster enough people in this room so that the dialogue could take place, because too many people have abdicated their responsibility in educating their children and they are expecting things of the system — the system isn't designed. You know yourself, on parent-teachers' night, who comes to the school? Who comes to the school on parent-teachers' night? And to keep faulting the system, I think we are ignoring the problem; it's ourselves. I'm sorry, I would exclude you and a few other people who have seen the problem and addressed yourself to the resolution, as far as you're concerned, and I agree with my colleague, Mr. Walding, the responsibility that you have taken on yourself; thank you for your answer. It was an excellent answer. You took that responsibility when you had the children.

But I think we, as a committee, you know you put us in a difficult position by having a case before the Minister, because there are a number of things in your brief that I would like to discuss with you. But just a brief question; I'll go back to all those words and pick the question out of it, that it has to be the . . . the politicians can't do it, so how can we get enough of the parents to help put pressure on the system to evolve it where it can fill more needs rather than less needs as far as the parents responsibility to their children?

MRS. ANDRIESHYN: I'll have to answer that with a further question. How would you see parents in the public school system acting responsibly in the sense that you are saying that you would like to see them? Could you give me some examples of how you would like to see parents acting in the school system that would be for the benefit of the school system?

MR. BOYCE: Well, the committee is sitting here trying to devise laws; that is one approach to it, is the law. But is it not the case that if we relied just on the law, then that which you are after, your goals, are not going to be accomplished?

So there has to be other things done as well as pass the law if we are going to help evolve this educational system. You know, there's various components of the educational system. If I may, Mr. Chairman, there's 63 briefs have been presented to this committee. One of the things that I find very interesting is each one of them has come and presented their views and they leave, they're not even interested to sit and hear other views and how we can inter-relate these views. So that people continue to sit back and take pot shots at each other and each part of the system. Have you any suggestion on how we can deal with that so that, instead of the teachers bearing the brunt of much of it, or the bureaucracy bearing much of it, or the law bearing much of it, you know, if laws change mankind all we would need is the original 10, as I said yesterday. So, what do we have to do?

You know, I don't blame some of the people — while I disagree with some of the points that different people make I don't blame people who get abrasive and angry — because it is out of frustration because the system, as you point out, is cumbersome. But should not more or would not more occur in an evolutionary sense if it was — maybe that's using the word "evolution" — progressive sense. Would it not be better to leave this to reflect the community. I know that in southern Manitoba, for example, it's a different kind of community than it is in my area, Winnipeg Centre.

I'm an anarchist when it comes to this part of education. I would try and develop a system where the parents were given chits for their children to go to school and they go to any school they want, and the good ones would survive and the bad ones would fail, I believe. But, I wouldn't go so far as to say that education wasn't compulsory. I'm making a speech, I think, Mr. Chairman, I'm sorry.

Perhaps you could think about it and maybe get in touch with me, I don't want to impinge any more on the committee's time but I am very interested. Thank you, again.

MR. CHAIRMAN: Any further questions? We thank you Mrs. Andrieshyn.

MR. LEWIS: Mr. Chairman.

MR. CHAIRMAN: Yes, Sir.

MR. LEWIS: I appreciate Mr. Boyce's and Mr. Hanuschak's comments yesterday as to their interest as to the possibilities of some of these things. I think one of the things that we've been trying to say, despite that it was commented that no one stayed, there have been some parental groups have stayed as long as they could — is this whole problem that we're frustrated with the aspect of a monolithic education system trying to serve a pluralistic society. I get sick and tired of seeing parents, at a given school, fighting amongst themselves, both trying to get their point of view across in the same school. And we want to preserve the public school system, fine, but I really find that one of the biggest frustrations that we have is this whole aspect of a monolithic education system trying to serve a pluralistic society by trying to fragment it within a particular school and pleasing no one, by seeing the numerous briefs and comments.

I appreciate the fact there have been over 60-some briefs and the frustration that parents have had trying to get their point across. I realize the frustration of principals and schools trying to appease two sides of the same argument, it's impossible. And, until we break away, as I see it, and as many parental groups see it, from a totally monolithic education system, we're not going to be able to serve the pluralistic society we have here in Manitoba.

MR. CHAIRMAN: Thank you, Mr. Lewis. Thank you for your presentation.

MRS. ANDRIESHYN: Thank you, gentlemen.

MR. CHAIRMAN: Is Father Klysh in the room? Well, the Committee will adjourn now and we will sit again at 10 o'clock on Monday morning. Committee rise.