

LAW AMENDMENTS COMMITTEE

Red Room, Province House

Thursday, May 3, 2012



**N.S. LEGISLATIVE
LIBRARY**

Bill #41 - Grandparents' Rights Affirmation Act

2:00 p.m.

1. Lizelle Brown, Vice-President
Grandparents' Rights

Bill #30 - Promotion of Respectful and Responsible Relationships Act

2:15 p.m.

1. Pam Murchison
2. Constable Todd Taylor
Constable Jon Keddy
Truro Police & Minister's Task Force
3. Travis Price
4. Wayne MacKay, Chair/Author
Cyberbullying Task Force

} appeared
together

Bill #17 - Financial Measures (2012) Act

3:00 p.m.

1. Joan Jessome, President
Keiren Tompkins, Executive Director
Nova Scotia Government and General Employees Union

Bill #5 - Municipal Government Act (amended)

(no representation)

Bill #13 - Education Act (amended)

(deferred from previous meeting)

Bill #34 - Matrimonial Statutes Repeal Act

(no representation)

Bill #37 - Interjurisdictional Support Orders Act (amended)
(no representation)

Bill #39 - Maintenance and Custody Act (amended)
(no representation)

Bill #59 - Fish Harvesters Registration and Certification Board Act
(no representation)

Bill #61 - Fisheries and Coastal Resources Act (amended)
(no representation)

Bill #65 - Consumer Protection Act (amended)
(no representation)

Bill 13 – An Act to Amend Chapter 1 of the Acts of 1995-96, the Education Act

**Presentation to Law Amendments Committee
Nova Scotia House of Assembly
May 2, 2012**

**Karen Reinhardt
New Cumberland, Nova Scotia
(902) 688-2816**

(Good afternoon; and thank you for the opportunity to speak to you today about this legislation that is before you.)

My name is Karen Reinhardt. I live in a small, very rural community about 20 km southwest of the Town of Bridgewater. I have lived in that area of the province for over 40 years, and saw my two children move successfully through the public school program. For several of those years, I was a school bus driver for the local school board. In fact, I was the first female school bus driver in their history. At that time, it was a very challenging job to gain acceptance by my colleagues.

More recently, up until it was “fired” by the Minister of Education in November 2011, I was serving my third term as an elected member of the South Shore Regional School Board. During my tenure, I served on all of the standing committees (Education, Human Resources and Finance and Operations, acting in some cases as chair/vice chair of some of those committees. Through those years, I also served on many of the ad hoc and other committees of the board. As did all of my colleagues, I took my role very seriously. I was an active, involved and informed board member, and feel that my contributions to the board were beneficial to the group as a whole, as well as to the students and families that elected me to that position.

Despite the fact that I am no longer a board member, I remain actively interested in education issues, in particular their connection with students and communities that are contained not only within the South Shore Regional School Board boundaries, but

throughout the province of Nova Scotia. I strive to remain active in working through the many and varied education issues that face us.

Given my experience, as a parent, as a former board employee, and as an active member of my community, I feel that I have a reasonable perspective on the issue at hand. And, speaking as an active, involved and informed former board member, I feel that I can legitimately address the issue that we have before us today,

I am here today to speak to this amendment to the Education Act, which will reduce the statutory minimum number of school board members from eight (8) to five (5). It is my hope that as you listen to my remarks, you will give consideration to the changes that I will respectfully propose at the end of my presentation.

School boards are comprised of a varied group of elected lay people, who bring a range of skills, experience, knowledge, values, beliefs and opinions to their role. Their background does not necessarily include teaching, administration, or any other aspect of education.

It is this wide diversity that ensures that board processes are truly democratic, and which contributes to good decision-making. It also helps the board, through its diverse membership, to provide a balance between the interests of the broader community and the interests of those involved in the delivery of education. I'm sure that we can all agree that these interests may not always appear to be the same.

I believe that, among other things, it is this valuable diversity, and valuable range of skills, experience, values and opinions that is being threatened by this amendment, and I thank you for this opportunity to refute some of the assumptions that it brings forward.

The Minister's comments regarding this bill state that this amendment will give our school boards more flexibility in finding further efficiencies in their work. Did the boards ask for this flexibility?

The Minister is not clear as to what efficiencies she is referring, but there are two areas where this amendment clearly falls short of this goal. I will use a specific case, the South Shore Regional School Board (SSRSB), to illustrate these shortcomings. But please bear in mind that, going forward, these concerns are not limited to a single board.

In terms of financial "efficiency", which seems to be the over-riding concern today, the reduction of four (4) board members would result in a savings of approximately \$55,000. The 2012-2013 budget of the SSRSB is roughly \$7.6 million dollars (\$7,622,483.00). In this case, the reduction of four members could not be considered a very significant saving. Especially when compared to the loss of valuable "heads around the table" that foster good decision-making.

In terms of bureaucratic "efficiency", which also seems to be an over-riding concern of the department, the loss of four SSRSB board members will do nothing to reduce a possibly bloated bureaucracy. The bureaucracy is not at the board table. The current configuration of the SSRSB is twelve (12) members. Its administrative bureaucracy consists of a 50% FTE secretary.

Mention has been made that this will also increase the flexibility of the UaRB in its mandate to make decisions about the possible number of members within any given school board. Did the UaRB ask for this flexibility?

Sadly, using the same SSRSB as an example, it would appear that the UaRB has been asked to rule on an illegal future size of the SSRSB board. A cynical person might think that this could be the reason that this amendment is before you today. The cart was put before the horse in this case, and the Minister and the Department are trying to assist in legitimizing that timing problem by scrambling to remedy it through their own cynical use of the legislative process.

Neither the school boards in this province, nor the Utilities and Review Board asked for, or indicated a need for, these "flexibilities".

The Minister further states that this bill will not force school boards reduce the numbers of their members. I myself believe that this is true. To my knowledge, no other boards in the province are contemplating a reduction in their numbers in the near future.

True or not, this amendment is perceived to be aimed squarely at a single board, the SSRSB, as a cynical attempt to remedy the ill-timed request of its own one-person, government-appointed "board". A very poor use of taxpayer trust.

In most cases, board members struggle to perform their civic duty within boards that have very large budgets. They come to these positions from a wide variety of backgrounds and occupations and often do not have a lot of familiarity with the topics with which they must deal.

For that reason, they must rely on the advice of senior school board staff and, in particular, the Superintendent. Unfortunately, this reliance can, and often does, lead to elected officials being manipulated, and/or having to depend upon, less than reliable information. Having fewer elected members on a school board will not create a more efficient board, but will leave fewer minds and voices to challenge the information they are fed.

In order that school boards not be seen as simply impotent tools of the Superintendent and senior staff, or the Department of Education, it is important that there be a critical mass of minds and voices to discuss, debate and challenge the information provided, to ensure an abundance of viewpoints and ideas, to ensure decisions are well made.

I urge you to give serious consideration to the following **three alternatives to the immediate passage of Bill 13** – alternatives that will give you, as legislators, an opportunity not only to retrieve the situation from its widely perceived cynical presentation as a quick and dirty solution to a timing problem with a targeted board, but to give yourselves a solid, considered basis to amend the Act in a reasonable, informed manner.

1. **Consider a wider, altogether different tack, with these much needed reviews:**
 - a. For the moment, leave the provisions of the Education Act with respect to school board size as they are. They can be brought to the table again, at a later date if necessary;
 - b. Immediately initiate a review of the Act with respect to how school boards are structured and how they operate;
 - c. Immediately review the flawed provisions and procedures for school review;
 - d. Consider placing a moratorium on school closings until the above review is completed (as was done in the recent past).
2. **Postpone its passage.** There was **NO** previous consultation with school boards in the province, nor with the NSSBA, regarding this amendment before its introduction in the House. Postpone the bill until such time as consultation with these bodies, and possibly the public, can take place (Why is it so important to do force it through so quickly? Is the purpose to reduce one board, the South Shore Regional School Board, to a point where it will become ineffective?);
3. **Lower the maximum number of school board members (currently 18).** If the amendment is indeed intended to create some sort of (illogical) "efficiencies" related to the size of a school board in this province, it only makes sense to look at both ends of the range, instead of just the minimum (which in this case is perceived to apply only to, and specifically to, a single board);

I hope that you will give serious consideration to the alternatives presented here. Everyone in our province has a stake in the education of our children, and all of us are hoping that you will give considered, deliberate thought to the message you are sending to your constituents, and to what your actions mean to real people.

Thank you for your time and attention today, and the opportunity to speak to you about this important issue.

The Amendment speaks to reducing the minimum number of School Board seats on a School Board. It recommends reducing the minimum number of seats from 8 to 5. It does not speak to any change in the maximum number of seats on a Board.

I would submit that fewer people to represent the communities may provide less flexibility to a School Board. In today's world of School Board Governance, it is imperative that Board Members work closely with their staff, setting goals and formulating and setting policy. In so doing, it is very valuable to have diverse views and representation of the various geographic areas of a Board. It is very important that the recommendation for a number of School Board seats come from elected Board members, who have had the experience, and who know the time that is required to do the job. It is important to note that the recommendation for the significant reduction of seats on the South Shore Regional School Board, has come from a 1-person, appointed Board, who has not experienced elected representation from communities being represented.

At any given time, it is desirable to have a good mix of both experienced and new Board Members. Having been *given up-to-date Professional Development, the new members should gain valuable team experience, and will hopefully become confident in their ability to make difficult decisions.* The most important factor is that there are good, capable folks running for elected office, some of whom have the time and commitment to represent the Board at the provincial level, as well as at the local Board level. It is also valuable to have a good representation of people, a mix of parents, business people, and anyone else who has a serious interest in furthering education in our province. If numbers are substantially reduced, as has been suggested, I am not confident that a School Board would have the capacity to do its job well.

To have experienced the way that School Boards across this province have worked together over the years, and in most cases have also worked hand in hand with the Department of Education, on curriculum initiatives, has been a very positive exercise for me to see first-hand.

We hope that some provincial School Board Members will also wish to assist with promoting the cause of education with our other Atlantic Provinces, and at the National level with the Canadian School Boards Association. I have had the opportunity to do that, and hopefully, have been able to assist our own Board in various ways. All of this does take time, and it is certainly not for remuneration! Should all of these things be simply thrown out, just for the sake of possibly "being able to manage a much smaller Board?" After all, I believe we need an "engaged" Board, who will be empowered to provide leadership in education.

It happens that I was first elected in 1991, when Nova Scotia, for the first time was able to have fully elected School Boards. Prior to that, there had been one-third elected, one-third municipally appointed, and one-third politically appointed members to make up a School Board. Since that time, until the fall of 2012, I had experienced several municipal elections, at first, three-year terms, and more recently, four-year terms. The scope of the work of School Board Members seems to have become more complex in that time. Boards are much larger, more curriculum development is done at the local Board level, the expectation to have very qualified staff is far greater, and the ability to operate within the confines of inadequate funding is more challenging than ever. Effective evaluation and support of that staff is a much greater emphasis. The additional responsibilities of compliance with provincial regulations such as fire, environmental, occupational, health and safety, have broadened those responsibilities as well.

I cannot emphasize enough the need for high level, ongoing Professional Development for School Board Members. No matter how well intentioned the members are, one rarely realizes the scope of responsibility until the work has begun. For many years the South Shore Regional School Board has held all meetings in the

evenings to better accommodate working schedules. Even then, with the challenges of travel, serious challenges of the economy, illnesses, there are sometimes problems in the ability of Board Members to always be able to attend meetings. There have not usually been problems with having a quorum for meetings, but the point I wish to make, is that a Board of too few numbers would make it increasingly difficult to have people to serve on the usual committees, let alone, to cooperate at the provincial level.

When in 1996, School Boards in our province, were amalgamated from 23 to 7 (later 8), it had been the expectation of our Department of Education, and of Boards, that Boards would work closely together on shared issues such as Curriculum, Cost-saving Initiatives, and Professional Development opportunities, to name a few. Through the shared vision of Boards, through our provincial association, Nova Scotia Schools Boards Association, that has happened. They always are looking for ways to collectively represent the students of Nova Scotia, and to advance the cause of education. That link of the Board with their provincial association is vitally important, given the objective and advantages of working together.

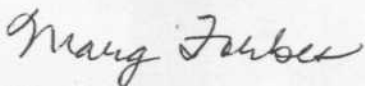
School Boards across this province try very hard to "keep the public" in public education. It should be an objective of any School Board to keep its public well informed about its vision for education, and of the need for the public's support in that effort. The communication between the School Board, School Advisory Councils and Home and Schools is vitally important in getting information to the public.

School Board Members take very seriously their roles and responsibilities. It may surprise you to know how many hours per week are required to manage representation at meetings and also the preparation time that is necessary in order to do the job properly. I would caution that too few School Board Members on a Board would severely limit the ability of the Board to function well.

In closing, my main point that I wish to emphasize is that you should have enough views around any Board table to represent the views of your area as well as possible. Usually, more ideas can be of benefit to everyone, providing that all views are respected. You also must have the capacity for the School Board to do its job. The most important thing is to encourage good folks to run for election.

Robert Parker, a former, very experienced School Board Member, and now Municipal Councillor, has had an interesting and, in my view, excellent opinion piece published in the February 29 Chronicle Herald, entitled, Local Governance in NS: "Smaller May Not be Better". I encourage that it be read.

Respectfully submitted,



Marg Forbes

Former School Board Member for SSRSB

May 2, 2012

My name is Merydie Ross & I am here today to ask for your help regarding the future of the youth of the South Shore.

I am 22 years old, and I completed the French Immersion program at Hebbville Academy, I graduated as Students' Council President from Park View Education Centre, and I served as a youth student representative on Park View's School Advisory Council.

I left Canada to complete my Bachelor of Arts degree in International Politics because as an active youth striving to find ways to benefit my rural community with a sustainable future, I wanted to learn about what the rest of the world was doing so I could bring that knowledge back to rural Nova Scotia. Today I will share some of that knowledge with you.

Since completing my degree, I have returned to Nova Scotia and I want to establish a family on the South Shore. My peers – those young adults who I grew up with year after year through school on the South Shore - have those same desires, but few have the opportunities to realize these desires and fewer still will have the opportunity to do so, even after they start raising young families away from where they were raised, because on the South Shore we have very little offer these young adults in way of a sustainable future. Today, the Committee on Law Amendments has the opportunity to change this, and to contribute to our numerous efforts to create a sustainable, financially viable, and valued, culturally distinct future for the youth and future generations of the South Shore.

The future of our generation and those to come is facing an imminent threat. It is perfectly clear to the public that the ONLY reason the Education Act is facing amendment of the minimal number of democratically elected School Board seats is a direct result of the South Shore Regional School Board's recommendation to reduce the number of school board seats, rather than to overhaul wasteful School Board bureaucratic expenditures and salaries. As everybody knows, this recommendation bears absolutely no reflection of the desires of the public on the South Shore, because it was created NOT by School Board members democratically elected by the people of the South Shore, but by an undemocratically appointed bureaucrat.

For those of you unfamiliar with the South Shore, the most effective way of broadcasting information and gauging public opinion, is by word of mouth that only locals are synced into, and as one such local, I am here to tell you that the number one concern regarding education on the South Shore is school closures.

With the upcoming School Review process, far too many of the schools on the South Shore are listed for possible closure.

The Municipality of the District of Lunenburg has repeatedly voiced their frustration with increasing school closures that leave them with non-functional facilities that no longer have any monetary nor community value. Already, two elementary schools have closed in our municipality since I graduated from high school.

If the South Shore Regional School Board only has 5 seats in the very near future, it is beyond doubt that we will continue to see school closures. If only 5 democratically elected School Board members have to choose which schools will close, we can be certain that so long as each of the five board members represents one regional school, they will allow our other schools to close.

Who, really, do the decisions being made here today, affect? They affect families, they affect future generations, they affect the quality of life on the South Shore, but most of all, they affect CHILDREN.

If Bill 13 passes, the people of the South Shore will fight to safeguard our democratic rights to vote for more accurately representative School Board members, and we will do this at the Nova Scotia Utilities & Review Board public hearing that will determine the final number of seats we have. This public hearing is the same one that has been moved to accommodate these amendments to the Education Act by Bill 13, amendments that have been suggested because the single member of the South Shore Regional School Board's seat recommendations were illegal under our Education Act.

However, I am asking this committee for help. It is your duty to represent the wishes of the people of Nova Scotia. And while this may be your 9-5 job, your decision regarding Bill 13 is about our LIVES.

Please do not diminish our democratic representation on the South Shore School Board. It is the South Shore School Board who has asked for these, and it will be those students, those children and youth who attend school on the South Shore.

I am here this evening because being a former South Shore student, I KNOW how our students and youth will be affected by these decisions. This decision intimately affects our day to day lives and the future viability of providing a future for families on the South Shore of Nova Scotia. Beyond the atrociously brazen push to legalize illegal recommendations by a non-democratically elected board member, Bill 13 is an outrageous demonstration of attempts to take advantage of children and youth who cannot vote.

If Bill 13 passes, our schools become centralized, so too will our services and communities, and our rural communities will lose their life, they will become developed urban sprawl that irreversibly destroys our natural resources. If Bill 13 passes, our schools will close, and our students will get less individual attention as a result of losing their small class sizes, they will have more bullying problems in larger schools, they will lose the small communities that raised them, that want them to come back from school and raise their own families. If Bill 13 passes, every student will know why their school closed, why as an elementary student, starting as a 5 yr old, they rode a bus for well over an HOUR, just to go to school. If Bill 13 passes, it will not be because I didn't represent the interests of our children, but it will be because of YOUR decision.

I am here tonight because

Please do what is right. Please think of your own families, please think of your own children, please think of us young people who want to raise our families in safe, rural communities. Please think of future generations. Please invest in a sustainable future. Please do not reduce the number of legally allowable School Board Seats.

Thank you very much for your time and consideration.