

Whitehorse, Yukon
Thursday, April 24, 2008 — 1:00 p.m.

Speaker: I will now call the House to order. At this time we will proceed with prayers.

Prayers

DAILY ROUTINE

Speaker: We will proceed at this time with the Order Paper.

Are there any tributes?

TRIBUTES

In recognition of Law Day

Hon. Ms. Horne: Thank you, Mr. Speaker.

I rise today on behalf of this House to pay tribute to Law Day. Law Day is an annual event organized by the Yukon chapter of the Canadian Bar Association. It is in recognition of the proclamation of the *Canadian Charter of Rights and Freedoms* 25 years ago. This year, Law Day is being celebrated on April 25.

The Canadian Bar Association is strongly committed to protecting the independence of the judiciary and upholding the rule of law, each of which is fundamental to a free and democratic society. This annual event reminds Canadians that we are privileged; we are free to hold convictions about the value of the independence of the judiciary and of lawyers without fear of recriminations, detention or death.

The Canadian Bar Association is celebrating Law Day by assisting Vanier Catholic Secondary School with their upcoming mock trials.

On April 17, 2008, CBA members also did an information session at Porter Creek Secondary School about the rule of law. I would encourage everyone in this House to participate in the 18th annual Law Day fun run and walk organized by the Yukon chapter of the Canadian Bar Association.

The fun run will start at 12:00 at the Law Centre on Friday, April 25. The proceeds of the fun run will be equally shared between the Elizabeth Fry Society and the John Howard Society.

I would like to close by congratulating the volunteers who make Law Day a success.

Günilschish. Merci. Thank you.

Mr. Inverarity: I also rise today on behalf of the Official Opposition to pay tribute to Law Day. Law Day 2008 celebrates the 26th anniversary of the signing of the *Canadian Charter of Rights and Freedoms*. This charter is founded on the rule of law and the bill of rights entrenched in our Constitution, giving Canadians guaranteed democratic rights and fundamental freedoms that we believe are necessary in a free and democratic society.

2008 is the 18th annual Canadian Bar Association Law Day charity run and walk. This local event is dedicated to improving public understanding of the law and the legal system.

The Yukon chapter of the Canadian Bar Association has chosen the Yukon branches of the Elizabeth Fry Society and the John Howard Society as recipients of this year's funds that they are going to be raising.

The Law Day committee chose these worthwhile organizations for their involvement in the justice system. Both societies address issues of great importance to our democratic society and are reflected in our *Canadian Charter of Rights and Freedoms*.

I would also like to congratulate all members of the bar in the Yukon and those volunteers and individuals and organizations who work throughout the year to organize and celebrate Law Day in the Yukon.

I would also like to thank the public and private sector sponsors who support Law Day activities. The 6.4 kilometre charity fun run/walk departs, as indicated earlier by my colleague across the floor, at noon from the law courts.

We wish all organizations and participants a successful charity run.

Mr. Cardiff: I rise on behalf of the NDP caucus to pay tribute to National Law Day. This day was established by the Canadian Bar Association to help educate the public on the importance of law. The legal profession in Canada is governed by the laws, rules and regulations of the law society of which a lawyer is a member.

There are 14 law societies in Canada. The main responsibilities of the law societies include admissions to practise as lawyers within their society, setting professional standards for the legal profession and the discipline of their members.

Each lawyer is bound to comply with the society's code of conduct, which sets out what constitutes ethical and unethical conduct. As well as the usual services, the Yukon Law Society has a lawyer referral service and administers grants set up through the Law Foundation. These structures are all in the *Legal Profession Act*.

We sometimes take it for granted, but perhaps the most important law in Canada is our *Charter of Rights and Freedoms*. Law Day commemorates the establishment of our *Charter* as the first part of our Constitution.

On April 17, 1982, the *Charter* was established. Its effect and application is far-reaching. The *Charter* outlines the fundamental freedoms we enjoy: freedom of conscience and religion; freedom of expression; freedom of peaceful assembly; and freedom of association.

When we hear of human rights violations in other parts of the world, as we have just recently with the intolerable situations in Tibet and Darfur, it should remind us these rights are not easily attained. We must guard them and always be aware they can be taken away.

We should also do everything we can to help other countries obtain these rights. It is especially important in this time of fear and terrorist activity that we remind ourselves of the legal rights written into our *Charter*. Some countries are influencing us to ignore the rights of habeas corpus: the right to be presumed innocent and the right of trial.

At this moment, there are Canadians who are detained by other countries and who are not granted these rights. We can only speak loudly and clearly that this is not acceptable.

This Law Day, we display our respect for the rule of law and express gratitude for those wise and persistent human rights advocates who have given us our *Charter*.

Thank you, Mr. Speaker.

In recognition of National Organ and Tissue Donor Awareness Week

Hon. Mr. Cathers: I rise today on behalf of the Assembly to recognize the week of April 20 to 27 as National Organ and Tissue Donor Awareness Week and to encourage members, if they have not already done so, to fill in a donor card.

More than 4,000 Canadians are waiting for an organ transplant that will save their lives. Last year only 1,803 transplants were performed across the country and, while many Canadians still remain on waiting lists, 195 Canadians died last year while waiting for an organ or tissue transplant. That number has almost doubled since the year 2000.

In 2001, 420 individuals made donations, often of more than one organ or tissue. That means that in Canada there are approximately 13.5 donors per million. I am pleased to note that more than 4,000 Yukoners have signed their organ and tissue donor card and returned it to the territory's donor registry program. That means that 13 percent of the Yukon population has taken the step to become donors. In Canada we have some of the best transplant technology in the world, some of the most highly skilled surgeons, some of the most prestigious and qualified transplant hospitals, but there are never enough organs available to save enough lives.

Too few Canadians decide to become potential organ and tissue donors and too few talk about that decision with their families. The facts are simple: organ and tissue donation saves lives. One organ and tissue donor can assist up to 80 other individuals, and people can donate no matter how old they are. The average age of donors has increased steadily, and in 2000 deceased organ donors ranged in age from one year to 84 years with an average age of 39 years old.

Another fact is that there is a greater chance of you requiring a transplant than of becoming a donor. Our family, our friends and we may be in need one day. A sudden virus could affect the heart, and liver disease could strike. Becoming a donor could save a life just as other donors could save yours.

Admittedly, being a donor isn't for everyone, but we should encourage all Yukoners who have not done so to think long and hard about their donor decision. If they decide to become a donor they need to share that decision with family and friends to make it easier for them if the time comes.

I encourage all Yukoners, the people in this House and beyond to consider seriously becoming organ donors and possibly giving the gift of life.

Thank you, Mr. Speaker.

Speaker: Are there further tributes?
Introduction of visitors.
Returns or documents for tabling.

Reports of committees.

Petitions.

Are there any bills to be introduced?

Are there any notices of motion?

NOTICES OF MOTION

Mr. Edzerza: Mr. Speaker, I give notice of the following motion:

THAT this House urges the Yukon government, under the authority of the pesticides regulations of the *Environment Act*, to immediately ban any pesticides suspected of or known to be a risk to the health of humans and animals.

Mr. Cardiff: Mr. Speaker, I give notice of the following motion:

THAT this House urges the Minister of Environment to fulfill his responsibilities under section 48(1) of the *Environment Act*, which states "The Minister shall prepare and submit to the Legislative Assembly a Yukon State of the Environment Report within three years of the date this section comes into force and thereafter within three years of the date of the previous report."

Speaker: Are there any further notices of motion?

Statements by ministers.

This then brings us to Question Period.

QUESTION PERIOD

Question re: Elk, winter tick infestation

Mr. Elias: I have some questions for the Minister of Environment. Biologists in the minister's department have confirmed that Yukon elk are infested with winter ticks. This is very bad news, if you are an elk. More seriously, it is also very bad news for Yukon's moose and caribou populations. In fact, it can be fatal.

This winter the attempt was made to treat the elk in the Takhini and Braeburn areas with an anti-tick medication. The anti-tick medication was mixed with corn and distributed at feeding stations where elk congregate and were penned in an enclosed area.

Can the minister confirm that his plan to ensure that the infestation will not affect other Yukon wildlife, and in particular moose and caribou, has not worked, and that the elk did not consume the medicated corn?

Hon. Mr. Fentie: This issue is very much of a concern, because it is a parasite, or in this case the tick that we would define as a "migrating species". It's something that was discovered recently. I know the department biologists have been working diligently since it was discovered that the elk here in the immediate vicinity were infested with ticks. They have come up with a plan, and they have proceeded to address the issue. I know they are doing everything they possibly can to ensure that there is no further spread beyond the elk population to other wildlife.

Mr. Elias: It seems the minister's interim measure to reduce the risk of ticks spreading from elk to other native wildlife has not worked. The minister has received letters on this

issue from many concerned Yukoners, First Nations and renewable resource councils. They have expressed concerns about the threat the winter tick poses to our moose and caribou populations and their hunting rights.

Moose and caribou are also important to our tourism and outfitting industries, not to mention an important food source. Yukoners have also requested the minister dedicate both the human and financial resources needed to solve this problem.

Has the minister complied with the requests that he has received, and can he tell the House what additional resources and direction have been allocated to head off this potential ecological disaster?

Hon. Mr. Fentie: As the member has stated, we share that concern with all Yukoners and that's why the department acted so quickly on the matter. That's why we are dedicating fiscal and human resources to the issue.

It's impossible to state what that might cost overall. The job at hand is to deal with the tick infestation and do everything possible to ensure it does not spread to other wildlife; that's exactly what our professionals in the Department of Environment are doing as we speak.

Mr. Elias: Mr. Speaker, the minister has not answered the question of whether or not his plan is working. I would suggest the minister become an expert on this matter ASAP because he had better avoid an ecological disaster here.

From mid-May to early July, cow elk go often to secluded woodlands to have their young. There are a number of non-medicated Takhini elk that are penned up right now — about 120 of them or 80 percent of the herd. We have approximately 120 tick-infested elk that are penned up; they did not consume the medicated corn, and the elk are ready to calve.

The government should be doing everything it can to ensure the health and well-being of these animals. Yukoners would like to know what the minister is aiming to do here. The minister's plan is obviously not working and he does not have control over this situation.

What are the next steps and how are we going to stop this problem from getting worse?

Hon. Mr. Fentie: I thank the member opposite for his comments. Obviously, the member has become an expert in the field; however, the government side will allow our biologists and others who have the credentials to deal with this particular issue to do their work. We will inform all in the territory — because we are all concerned about this matter — when we know exactly what the outcome of our plan and program to date has achieved.

What we are going to do is ensure to the extent possible that we deal with the infestation, and do everything we can — and that's happening now — to ensure there is no spread of the tick beyond the elk population. It's a very serious challenge and I am very confident that the professionals in our department — though I would defer to the professionals across the floor, should they provide the evidence — I am very confident that the professionals in our department are doing the job as they have been charged to do.

Question re: Net metering bill

Mr. McRobb: My question is for the Energy minister, and it would be appreciated if he would respond, as he's the minister responsible for energy within the Yukon government — not the Minister of Education or the Yukon Housing Corporation minister, who both responded yesterday and who both failed to address the questions asked. Let's give him another opportunity to explain his position of stalling the introduction of net metering and providing smart meters to Yukoners to help them better manage their energy consumption.

During this three-hours-plus filibuster on the net metering bill, he made it quite clear that he's opposed to these progressive measures here in our territory. Why does he insist on denying such a progressive initiative to Yukoners?

Hon. Mr. Lang: I recommend that the member opposite read the energy strategy that we just put out in draft form. It's out for consultation, so he can take part in that consultation. He will find out where we're going with net metering and other proposals the territory is looking at.

That is out right now for consultation in all our communities. There's a workplan, and after those consultations are done, a final draft will be put together.

I do recommend the member opposite participate and read the draft, because it would answer some of the questions he asked today.

Mr. McRobb: That's not accountability, Mr. Speaker. Passage of the net metering bill would be a progressive step forward for people in our territory. It would advance green power, energy conservation and provide consumers with greater control of how their power is produced and consumed.

Its use is widespread across the United States and in several Canadian provinces, but not in the Yukon, because our Energy minister believes that Manitoba has abandoned the program. He stated that several times during his three-hour-plus filibuster.

Our Energy minister is in the dark once again. Manitoba introduced a new high-tech net metering program about two years ago. The minister's position is outdated and irrelevant. Why does the Energy minister insist on using arguments from yesteryear in his continuing filibuster on the net metering bill?

Hon. Mr. Lang: Mr. Speaker, the only thing I'm going to insist on as the minister is that he read the draft. He should do the hard work as MLA for the Kluane area — read the energy draft — and he would see that net metering is just one of the many options out there that this government is looking at.

Mr. McRobb: There is a bill on the floor of this Assembly and it is that minister who filibustered it. This is the same Energy minister who believes in rate-shocking electrical consumers into conservation instead of first providing them with practical conservation programs as is done in other jurisdictions.

Let's examine the facts: he has hiked power bills 30 percent; he hasn't provided energy conservation programs to help electrical consumers; he is in the dark about net metering. It is time for him to turn on the lights and see what is in front of him — like our bill that is on the Order Paper.

For the record, will the minister tell us now whether he'll support the net metering bill when we bring it forward on the next private members' day, or will he just continue this silly filibuster?

Hon. Mr. Lang: I'm appalled at the member opposite. The hard work we do in this House — and he would minimize it by saying that because he didn't like the response, we were filibustering.

Mr. Speaker, I highly recommend that he read this draft policy that is out for public consultation at the moment. It has his pet project of net metering in it. It is one of the many things that this government is looking at to put the final draft out. It is going to take some reading and it is going to take some work, and I hope the member opposite does that so he can be brought up to the mark when it comes to the energy plans this government has to move forward into the future.

Question re: Highway signage

Mr. Cardiff: I have a question for the Minister of Highways and Public Works. It has been almost a year since the minister was asked about the disappearance of road advisory signs on Yukon highways. I'm referring to the yellow signs that indicate road characteristics such as curves or upcoming intersections.

The minister's answer last year — and I'm sure we'll hear the same thing again today — was that it was just part of bringing the Yukon in line with the National Safety Code.

My question for the minister is this: has there been any consultation with Yukon people or with visitors travelling throughout the territory about how they feel about these helpful signs being removed?

Hon. Mr. Lang: It's the National Safety Code that we're following. The national highway code is a code across Canada, and that is what we work within in the territory now, because of the obligations of being part and parcel of that system — the national highway system.

Mr. Cardiff: It's good the minister corrected his answer from last year.

It's all well and good for the minister to boast about how Yukon roads are being upgraded to National Safety Code standards, or national highway code standards, but the reality is that many of our roads have a lot of hills, a lot of unexpected curves and T-intersections, not to mention side hills and thick vegetation that can obscure lines of sight.

That may not be much of a problem for people who drive the same stretch of road day after day, but it can certainly create anxiety for drivers who are unfamiliar with local conditions.

Yesterday I had a call from a constituent who had just driven to Carmacks and back, and was quite surprised to see these signs had been removed. One of his concerns was the lack of public notice that drivers are basically on their own to figure out what's happening on the road ahead.

In the interests of public safety, why hasn't there been a public education campaign about this major change in how Yukon roads are marked?

Hon. Mr. Lang: In response to the member opposite, we certainly work with our constituency on issues. The national highway code is what the Klondike and the Dempster highways

are now under. It is up to us as a responsible government to make sure we address the issues like the member opposite is speaking about — cleaning up ditches, doing things and upgrading our roads, like we are doing on the Campbell Highway.

So those are the kinds of things that we have to internally manage and work within the national highway code to make sure that we meet and match all the obligations we signed on to when we signed on to the national highway code.

Mr. Cardiff: Well, you wouldn't want to go over and above it either. We know how costly it is to maintain signs and signposts and maybe some of that money could be spent on education. When we are talking about public safety and people's lives, surely it is better to err on the side of over-caution rather than the opposite.

Now, the same constituent also reported a condition that he considered quite unsafe regarding a patching crew travelling northbound on the Klondike Highway. The crew was moving very slowly along the edge of the highway, presumably because they were starting and stopping to fill potholes. The constituent's concerns — and it is a concern that I also have and that I've raised before — is that the vehicle did not have its amber caution lights flashing.

The annual migration from Outside has already started and some of the trailer parks are already full. I would like to know: what is the minister doing to ensure that both the travelling public and the Highways employees are not being exposed to unnecessary or unmarked hazards while road repair work is being done?

Hon. Mr. Lang: In addressing the member opposite, that is an operational question, and I would say that I will talk to the department. I expect them to follow all the rules and regulations from a safety point of view and that none of this would cause harm to either the workforce or the travelling public. That is an obligation we have as government, and if in fact there are questions about that, I will bring it up to the powers that be and make sure that is not the case.

Question re: All-terrain vehicle safety legislation

Mr. Cardiff: The Yukon's chief medical officer recently raised some serious concerns about the incidence of traumatic injuries, many causing death, particularly among our youth. From 1996 to 1999, 26 percent of male deaths by major causes were caused by traumatic injuries. In Canada, the north has many persistent health problems, including death by injury.

Does this government have any plans or initiatives to reduce the incidence of traumatic injury and injury-related death in the territory?

Hon. Mr. Cathers: I thank the member for bringing this concern forward. The Yukon's medical officer of health, along with an individual whose name I can't recall — and I apologize to him for that — who came up from the SMARTRISK group have been working to increase the public awareness and education around the importance of individuals taking these steps themselves. Ultimately, with all activities, each and every one of us bear personal responsibility for making smart decisions, for wearing proper safety equipment and for not engaging in unsafe activities, such as — well, I would list a num-

ber of examples, but to not engage in unsafe activities, no matter what pursuit they're in.

We do fund the chief medical officer of health and, through the Workers' Compensation Health and Safety Board and its fund and initiatives, the board has been working on safety in the workplace. We're certainly open to consideration. If the member has further suggestions of what we might do, we're open to hearing his suggestions.

Mr. Cardiff: The City of Whitehorse has a bylaw that makes wearing a helmet mandatory when you ride a bicycle. The chief medical officer is also an emergency room physician, and he recently said a lot of concussed bicyclists come in with cracked helmets, and you can see that it saved their lives.

There is no requirement for people riding all-terrain vehicles or ATVs to wear helmets. This is ridiculous. You have to wear a helmet to ride a motorcycle. ATVs are more powerful than bicycles; they are driven faster, and on more dangerous terrain.

From June 2004 to May 2006, 99 people were treated for injuries involving ATVs. Of those who were definitely not wearing helmets, one died, one had a broken neck and three had scalp or facial injuries.

Will the government look into making helmet use mandatory for ATV riders?

Hon. Mr. Cathers: I appreciate the member's concern. One thing I would point out to him is to remind him of the fact that with ATVs and snow machines and other recreational vehicles, the vast majority of users are doing so outside of an area that has police patrols. Simply making a law would not prevent someone from choosing not to wear a helmet. I can tell him, as he ought to be aware, there are a lot of Yukoners, particularly in rural Yukon, who if told that they must wear a helmet would not choose to do so.

It has been put in, I would remind the member, through the new occupational health and safety regulations that wearing a helmet is now required in workplaces by those riding an ATV or snow machine or other such vehicle in the pursuit of their employment. That is a new requirement that has been put in place and is an obligation upon the employer to ensure that equipment is available.

I would again note to the Member for Mount Lorne that I think the most effective strategy is exactly what is being pursued, providing people with the information on the number of injuries that can occur and reminding them that it is up to each and every one of us to take that personal responsibility to wear the appropriate safety equipment.

Mr. Cardiff: The fact that there is no enforcement everywhere doesn't mean that you shouldn't have a law. If that were the case, we wouldn't have a lot of the laws we have. It sounds like this minister and this government continue to remain unsafe at any speed.

The president of the Klondike Snowmobile Association recently stated that injuries related to ATV and snowmobile use continue to rise. There have been significant injuries and injuries leading to death in recent years. The most vulnerable sector of the population is the youth, and we have all seen it. We've seen young children bombing along the highways and in the

ditches, driving as fast as the vehicles are on the highway — I've seen it myself.

It's time we did something to address ATV usage in the territory and in the interest of preventing needless personal tragedies of which there are too many to mention, as far as I'm concerned.

Will the government agree to start right away to develop legislation and regulations around the use of all-terrain vehicles or ATVs in the territory with the primary objective of increasing public safety, reducing injury and death, particularly among young people?

Hon. Mr. Cathers: I would make the Member for Mount Lorne aware that there are rules pertaining to when ATVs are on a highway. These safety rules must be followed regarding vehicles that can and cannot be on a highway surface.

Again, I have to remind the member opposite — I appreciate the Member for Mount Lorne's concern — but particularly in the Yukon, with the level of individual spirit and individual thinking that occurs among Yukon citizens, that for us to think that simply passing a law would be the most effective solution would be foolhardy on the part of the Legislative Assembly.

The most appropriate and effective action is to have Yukoners assume that personal responsibility. Each and every one of us must assume responsibility for our own safety and, through making people aware — through public education, as is being done — of the risk that is there, providing them the information they need to know about the level of risk. We put it into their hands to assume the personal responsibility for keeping themselves safe and keeping their children safe.

Good work is being done. Each and every one of us has that personal responsibility and should exercise it appropriately.

Question re: Availability of information

Mr. Mitchell: Mr. Speaker, shortly after the former chair of the Hospital Corporation resigned, she described the approach of this Yukon Party government as "command and control". At the time, she urged the government to drop what she called the command-and-control approach to governing. Unfortunately, nothing has changed since that time.

Let us look, for example, at how the government withholds information that is meant to be public. Just this week we asked for an air quality report from the hospital and the minister has still not released it. He wants to hold on to this report; it must remain a secret.

We also asked the government to release the report done on the Dawson City recreation centre. Again, the government has refused. Residents who attended a public meeting in Dawson were told, "No, you can't have it."

Why is this government so reluctant to release information to Yukoners?

Hon. Mr. Cathers: Well, Mr. Speaker, that is the member's opinion or at least he asserts it is his opinion.

Mr. Speaker, I would note with regard to the question the member asked about the hospital, he asked a question about an air quality report that is within the jurisdiction of a government corporation. They manage their affairs with the board and the

CEO responsible for managing those affairs and the government does not micromanage that — we have a reporting relationship. It includes that if issues come up, such as this, the minister — being me — can request that information.

I have requested the information as per the member's request and I can inform him that B.G.E. Service & Supply Ltd. out of Edmonton conducted air-quality testing in Whitehorse General Hospital in February 2006 in response to concerns raised by staff and the request to do so. A copy of the report was provided to the Workers' Compensation Health and Safety Board, which would have directed corrective measures, had any been required. A four-star overall rating was provided by the contractor, which means that the hospital air quality is at or above the current guidelines. On the air cleanliness index, it rated an absolute score of 100 percent and a percentile score of 100 percent. So it was at the highest level and, Mr. Speaker, that is the fact and there it is for the Member for Copperbelt.

Mr. Mitchell: If this report is so glowing, why not make it public, so people who are working at the hospital can see it for themselves? The command-and-control approach runs right through this government. Air quality reports at the hospital — trust us, but we'll keep them a secret. The report on the Dawson recreation centre — let's keep it a secret. The list goes on.

What about the state of the environment report? The government is required by law to make it public; however, the minister refuses to do so.

What about the education reform report? The government refused to make it public until it was forced to do so because someone leaked a copy to the media. They still refuse to release all the background papers that go with the report.

There is a pattern here of withholding information from the public. It has to stop.

When is the government going to drop this command-and-control approach to governing?

Hon. Mr. Rouble: Mr. Speaker, the Leader of the Liberal Party has just brought forward the education reform project and has made some pretty significant accusations.

I should remind the member opposite that the executive received the final draft at the end of November, and then immediately following a motion from the Council of Yukon First Nations, we jointly — the Government of Yukon and the Council of Yukon First Nations — released the final report.

That was done at a public forum. There were copies given to the stakeholders involved in education. That was when it was released to government; that was when it was released to the Council of Yukon First Nations. It is the complete draft that the drafters intended; the only addition was the additional letter that was signed-off by me, by the chair of the Chiefs Committee on Education and the Chief of Liard First Nation.

Mr. Speaker, the information was collected, the information went through the appropriate process and the information was released to all Yukoners.

Mr. Mitchell: Mr. Speaker, taxpayers pay for these reports to be produced on issues that affect them. They cover things like our environment, air quality at the hospital and education reform. The government in turn withholds these reports

from the public — and they talk about open and accountable government.

Let's look at another example. Each year at the end of March, by law, the Minister of Justice is required to make public the annual report of the workers' advocate. A quick look at the department's Web site shows the last report to be released was in 2004. We know the minister has received copies of the annual reports; she has simply refused to make them public.

These reports are supposed to be made public. It is required by law. Unfortunately, the minister has adopted the same attitude as the Premier: these are just benign legalities that can be ignored.

When will the public see these reports?

Hon. Mr. Cathers: I can inform the member opposite that if he paid attention more closely he would note that some of the reports he is referring to, such as the workers' advocate report, that he suggests have not been made public, have indeed been tabled in this Assembly.

If he reviewed the information that comes across his desk rather than relied on what is on the Web site, the member would cease making some of these accusations.

I would point out again that the member's questions about the air quality report at the hospital — I provided the numbers earlier in debate. Again, the air cleanliness index rating is 100 percent — a four-star rating that indicates the hospital air is at or above the current guidelines.

This also reflects a building pollutants index of 100. Again, Mr. Speaker, it rated very well. That information was provided to the Workers' Compensation Health and Safety Board, which would have directed action, if any was necessary. We are happy to make that report available, but those are the numbers from that for the member. There is no lack of providing information. There is simply a lack on the part of the Leader of the Official Opposition of picking up the reports and actually reading them.

Question re: Government attitude

Mr. Mitchell: I have more questions about this government's command-and-control approach to government. Members of the Official Opposition have dedicated many hours to researching issues, listening to Yukoners' concerns and preparing bills that would be to the betterment of our Yukon community.

The *Net Metering Act*, which was brought forth by the Member for Kluane, is one such example, and the *Apology Act* sponsored by the Member for Porter Creek South is another. Both these bills were blocked by the government majority. Why? Because they were sponsored by Liberal members.

This approach to governing is not what Yukoners want and it's not what they deserve. Will the Premier assure members that his government will be more receptive and open and less controlling in this House?

Hon. Mr. Fentie: The first response I would have to that question is, has the member been present over the last two and a half weeks in this House to see Bill No. 104 go forward unanimously and our decision to proceed with a review of human rights? We made a very clear statement about the *Apology Act*, considering the legislative agenda before this House — the

very important public's business before us — yet to be dealt with.

I think the issue here is quite clear. By the way, for the Leader of the Official Opposition's benefit, somebody has to be in command and control. It's called "making decisions".

Mr. Mitchell: The recent debate in this House on the very important *Child and Family Services Act* is yet another example of this command-and-control approach to legislating. This government used its majority to refuse to hear First Nation voices. It refused to hear First Nation leaders on a bill that was of paramount importance to them. When Yukon's Ombudsman and Privacy Commissioner expressed concerns, as she is legislated to do, they refused to permit her to appear as a witness and address her concerns.

This is a real C-and-C approach to governance — command and control. There is little reflection on the principles of democratic government here.

In the best interests of Yukoners, will the Premier commit to mending the ways of this government and allow for an open and democratic Legislative Assembly?

Hon. Mr. Fentie: Mr. Speaker, I am not even going to bother refuting some of those statements in the preamble, because this issue of refusing to listen to First Nations and Yukoners on the *Child and Family Services Act* is absolute nonsense considering the five-year process.

Here is what the Premier will commit to do. The Premier will commit this government to continue to build a better quality of life for Yukoners. This Premier will continue to commit this government to a better education system, a better health care system, an ever-growing and diversified economy, and more protection and conservation of our environment. That is what this government will do and that is what this Premier will commit to do.

Mr. Mitchell: You can see from the response of the Premier exactly what members on this side of the House put up with on a daily basis. He says "imagine tomorrow"; well, tomorrow is here today, Mr. Speaker.

Both opposition parties put forth very constructive amendments to the *Child and Family Services Act*, only to have every single one defeated by this command-and-control government.

They shut down private members' day while we were debating the *Apology Act*, and yet just yesterday, these same members took almost the entire day to pat themselves on the back — so much for the important legislative agenda before us.

Yukoners were not impressed. "Command and control" should be replaced with "contemplate and consider". The arrogance of this government was really on display yesterday.

Will the Premier undertake to make this Yukon Party government more responsible and democratic, or will he just continue with his command-and-control approach, which he told us he is very proud of?

Hon. Mr. Fentie: Yes, this government is very proud of its accomplishments, and I can suggest to the member opposite that there is more to come.

The implications here about substantive amendments to the *Child and Family Services Act*: I want the member to refer to

Hansard. These amendments were about replacing commas and periods and semi-colons; amendments to interchange words — not one substantive amendment came from the members opposite on the *Child and Family Services Act*. *Hansard* has it on record for all to see; it is the written word, duly documented. The members opposite failed in their duty to be responsible and accountable to Yukoners by actually contributing to dealing with children in care.

Speaker: The time for Question Period has now elapsed. We will proceed to Orders of the Day.

ORDERS OF THE DAY

Hon. Mr. Cathers: Mr. Speaker, I move that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

Speaker: It has been moved by the Government House Leader that the Speaker do now leave the Chair and that the House resolve into Committee of the Whole.

Motion agreed to

Speaker leaves the Chair

COMMITTEE OF THE WHOLE

Chair (Mr. Nordick): I will now call Committee of the Whole to order. The matter before the Committee is Bill No. 11, *First Appropriation Act, 2008-09*, Department of Education.

Do members wish to take a brief recess?

All Hon. Members: Agreed.

Chair: Committee of the Whole will recess for 15 minutes.

Recess

Chair: Order please. Committee of the Whole will now come to order.

Bill No. 11 — *First Appropriation Act, 2008-09* — continued

Department of Education — *continued*

Chair: The matter before the Committee is Bill No. 11, Department of Education.

Mr. Fairclough: When we left off debate on Department of Education, I brought up a few of the issues with the Carmacks school. There is a line item in the budget of \$400,000 that is dedicated to dismantling the old school and filling in and fixing up some of the grounds. My issue to the minister was what was going to take place as far as completion of the playground area.

The reason that I bring this up is that it has been an issue for every school that has been replaced. I remember going through this with the community of Mayo, and the next year the department had to go to look for more money for completion of the grounds. It was also an issue in Old Crow. More money had to be dedicated by the department for the completion of that school. The costs of putting that equipment in should be included.

What I didn't hear from the member opposite was whether or not they have met with the community to see what their wishes were in designing the playground area.

I brought up a bit of the history to the member opposite about the athletes in Carmacks over the past decades. I haven't seen or heard of any postings from the department about meeting with the community to deal with this matter.

I am interested to hear the minister's remarks on that, because I really do think it's important. People were quite happy to finally see the opening of the school. I think it needs to be quite clearly said to the community of Carmacks too. We should not just have this contract posted and see who comes up with the successful bid to dismantle the school, but the department also needs to clearly state to the community the concerns raised in regard to the old school, particularly the gym, and what they thought could be done with that.

We need clear reasons why the department is going the route that it is going, and I think the community deserves to hear that. I am waiting to hear those come forward from the minister.

I also raised some issues about the Tantalus School in Carmacks when it was first under construction. We had local people, contractors, who came forward and said, "I think you're doing it wrong," and telling the contractors, "I think this is what you need to do."

It has to do with the foundation and the removal of contaminated soil: what is happening with the contaminated soil that has been removed? Did the contractors do what was necessary to live up to the standards that are required under the department and the building codes?

Those are important things I want to hear from the minister because if something did not go right, then we need to know, because I feel we're going to run into problems down the road if this is the case.

I say that because I know building inspectors move the project along with all the information they have — it gets approved.

One building in Carmacks that had government monies in it was the community skating rink and curling rink. Those are built in downtown Carmacks as well. When those buildings went up, it was the same issues that local people raised again with the contractors: you need to dig deeper, you need to take more of this silty soil out, you need to go further. It did not happen.

It didn't happen. These buildings were put up — particularly the skating rink was built — I guess, ignoring the advice of community people. What we ended up with is a skating rink that is shifting; it has dips in it, it has heaves and it's unsafe; the boards are unsafe.

It's unfortunate because now we are going to have to face the whole expense of replacing it, and we don't need that to happen in our schools. That's what I am trying to tell the minister.

We have seen how much work goes into trying to correct the problems — for example, in the Mayo school — on this matter, where the building has shifted so much that even the hardwood floor in the gym has come apart.

I would like to hear some reassurance from the minister on this — not so much to me, but the reassurance to the people in Carmacks who should not be really facing this.

I am hoping that it has not started already, because during the opening of the Carmacks school — like I said yesterday — I noticed already that the gyproc was cracking and folding onto one another. I would not expect this already with a commercial building such as this; we haven't even gone through the thaw yet. It is a bit of a concern to me.

I raised many of the issues about that school in the past, and the minister gave me an answer to some of them, which I appreciate. I appreciate the answers from the minister.

With that, I'd like to hear what the minister has to say about the issues I raised about the Carmacks school, and then I would like to move on from this into the education reform project final report. I have a few questions on that. I want to go through one important part of that report with the minister and have some questions answered.

Before I go on, the minister has had a day now to collect some information on this, and I know he has some of the numbers in front of him and some information, so I just await the minister's answer.

Hon. Mr. Rouble: It's an honour and pleasure to enter into debate on the Department of Education's budget, once again today. Yesterday we had the opportunity to begin debate on the department's budget. I appreciate the member's initial questions that are focusing on the Tantalus School — the new school in the member's riding in the community of Carmacks.

The issues of things like the slight cracks in the drywall or some of the other normal deficiencies that one sees in new construction, when any new building goes up, especially a building of that size and magnitude — there are usually things that need to be touched up along the way. Those include some repainting, fencing issues, I believe there will be additional work with locks and I understand the Department of Education is working very closely with the Department of Highways and Public Works — the department responsible for the construction project — to ensure all these issues are addressed to the satisfaction of the Department of Education, which would include the school administrator and the people in the community.

Mr. Speaker, we're going to continue with the work this summer of the demolition of the old school. That will be quite a significant project in the member's riding, and I would hope and expect that it will cause additional employment opportunities in the community. Once the demolition is completed and the cleanup is completed, there will be further work on landscaping issues and fencing issues.

There will be ongoing consultation with the community and with school council as to what some of that landscaping will look like. I will confirm for the member opposite, and he can tell the people in his community, that consultation will be occurring on the scope of the project involving things like the landscaping and the setting up of large outdoor toys and in the future, about sports fields and things of that nature. We will continue to work with the community on these issues.

Mr. Chair, the Department of Education worked very closely with the community on the creation of the facility and

on the design. As I said the other day, I was very pleased to see how quickly the community was embracing the new school and really taking ownership of the space. I think any reason to have people come into a school is a good reason. The more we can have community members — especially in our rural communities — making use of the school, feeling comfortable in the school, wanting to be involved with the school and to bring their children, there are great reasons to engage people in a community and to make the school part of the heart and soul of the community.

It has been said in the past that in order to build a community you need to build a church and to build a school. Well, Mr. Speaker, the government has the responsibility of building schools in order to help build communities. I can't think of anything more forward thinking or more optimistic than building a school. The act of opening the school last week with the member in attendance was certainly one of the highlights that I've seen. It was great to see the community come together to embrace the opening and to see the optimism and to see the excitement on the kids' faces and to see them all involved in every aspect, from the stick gambling to the community luncheon, to the presentation and being involved in the ceremonies.

I should add that that is the second school that has been developed by this government. The members should also recognize the School of Visual Arts in Dawson. Albeit it is post-secondary education, but the School of Visual Arts has made an important impact on the community of Dawson. It is an important asset for Yukon College, and indeed it is an important asset for all of Yukon.

Now that that large capital project is behind us, we will continue to work on our next capital project. We are already well underway and working with many of the partners in education here in Whitehorse on the high school planning and programming study and looking at what should be included in the new high school so that we can address that in the construction or renovations of F.H. Collins. That will be the next priority of this government, and work is already underway with our partners and we are now engaging them in identifying what will be important to see in that facility.

Mr. Speaker, I appreciate that the member's questions so far have focused on the riding of Mayo-Tatchun. As a rural MLA, I can certainly see the importance of working on the issues in your community. As the Minister of Education, I have responsibilities to all Yukon, and indeed this budget does address education in all communities in the territory.

Yesterday when we began the debate, we had a brief opportunity to identify that the total main estimates for the Department of Education this year are \$121,818,000. I began yesterday by going over the capital budget for 2008-09, which is \$8,109,000. We discussed the fact that this reflects that we are wrapping up some of our major capital projects and entering into a planning phase for our next series of capital projects. As I just indicated, we are well underway with the high school programming study that will look at the future of high schools and the future of F.H. Collins here in Whitehorse.

Today I would like to continue to outline the O&M expenditures for the Department of Education. The 2008-09 opera-

tion and maintenance budget will seek continuing support for several initiatives, as well as support for new training initiatives. Our most important work at the Department of Education is to ensure that all Yukoners have the skills and education they need to support their families and to participate fully in their communities and in their workplace.

The \$113,709,000 dedicated under this year's operation and maintenance budget for the Department of Education will help us to support Yukoners on their journey of lifelong learning.

When you look at the department's budget, you will note that the department has transferred the facility management agreement over to the Department of Highways and Public Works. This transfer was \$8.47 million. So, in fact, there is already a substantial increase to the Department of Education's budget.

That money has been transferred over as has the responsibility. People in the schools and in the community should not see any difference, nor even recognize that any change has happened.

First, I would like to address the funds the department is seeking on behalf of advanced education. Through a partnership with the federal government, the Yukon government is continuing to work on two new initiatives targeted at labour market development. While this is the final year of the two-year program for targeted initiatives for older workers, I am confident this project will have considerable impact on our labour force development in the Yukon.

The targeted initiative for older workers is providing Yukon College training, geared to re-engage older people in the workforce.

As of March 1, 2008, 15 participants had completed the first intake. Nine are presently employed, four have returned to school and two have been deferred to the next program intake.

In addition to that success rate, the second intake is now underway and there are 15 participants in the second phase of this very successful program.

In 2000 and 2002, Canada contributed \$600,000 and Yukon contributed \$95,000 to this project. This was done in a similar program that was then called "North of 55", where 87 percent of participants found jobs after completing the program. We believe in these types of initiatives. When we look at the demographics of our population in Canada, it's clear that certain populations are facing greater challenges than others when it comes to engaging in the workforce. The targeted initiative for older workers will help people 55 and older gain the technology and life skills they need to secure and maintain employment.

Our older workers are a resource that requires further development, and that is something this new program will provide. Also, this kind of project has the potential to have a very positive impact on the quality of life for participating older workers.

The immigration portal project is another exciting initiative involving the development of an on-line resource to efficiently provide immigration information to potential immigrants. We have negotiated multi-year contribution agreements

of up to \$200,000 per year for a four-year period with the Government of Canada.

The Department of Education has signed the agreement, and the initial version of the site was launched on April 1, 2008. The site will be fully bilingual in English and French by May 10.

This is a very exciting initiative. When people from outside of Canada are looking at immigrating to our country, we know the more streamlined and accessible we can make our information, the more success we will have to increase our immigration and help address Yukon's labour shortages.

The immigration portal will have Yukon-specific information available to anyone interested in immigrating to Canada and living in the territory. The government is committed to reducing immigration red tape and fast-tracking immigration applications so that Yukon employers can have access to the workers they need for their businesses and organizations to flourish.

In addition to the targeted initiative for the older worker program and the immigration portal program agreements, the Department of Education also works in partnership with the federal government under our existing labour market development and immigration agreements. Under a contribution agreement, Education co-manages \$4 million that is invested annually in adult education and skills programs.

To continue our support in alleviating the Yukon College pension shortfall, the government is requesting \$950,000. A further \$463,000 will be provided to Yukon College to continue the operation of the School of Visual Arts in Dawson City. This funding is an important part of the government's support for Yukon College and the excellent programming it provides to Yukoners and to students from Outside.

Because the government is committed to indexing the Yukon student grant to the actual cost of living, we are requesting \$104,000. When Yukon students are making the effort to improve themselves through post-secondary education and training, we want to ensure that the financial barriers to completing their education are minimized. Indexing the student grant to the cost of living is a support we can provide that really makes a difference to the success of our students studying both in the Yukon and Outside.

This program complements other programs we run programs such as the student training and employment program and the summer career placement program, which pay students a good wage for summer work and provide them with the skills they need to enter the workforce.

Mr. Chair, under the student training and employment program — STEP program — students receive at least 450 hours of hands-on training and employment in career-related employment with private sector or government employers. STEP students are paid at least \$14.40 per hour, which is subsidized by the advanced education branch at \$7.20 an hour toward the student wages.

Under the summer career placement program, a subsidy of 50 percent of the hourly wage to a maximum of \$6.50 is provided to private sector employers. For not-for-profit employers, 80 percent of the hourly wage up to a maximum of \$8.25 per

hour plus \$100 toward employment benefits is paid to secondary and post-secondary student positions.

Mr. Chair, to support apprenticeship training in the territory, the Government of Yukon continues its partnership with the federal government. As a result, a total of \$825,000 is reflected in this budget for apprentice training. It is a sum that is entirely recoverable from the federal government as part of the skills development initiative.

This, in addition to the funding for trades and education infrastructure at Yukon College campuses, is going to make a real impact on how we are able to train apprentices in the territory. The government is proud to be part of the solution to the skilled labour shortage.

Now I would like to take a moment to speak to a number of initiatives that will support the work of public schools in the 2008-09 budget.

I am pleased to say that the operation and maintenance budget for 2008-09 will continue to support all new public school initiatives introduced by this government during its last mandate.

The Individual Learning Centre, launched in February 2005, continues to be a success, re-engaging high school drop-outs by encouraging them back on the path to lifelong learning.

The full-day kindergarten and the home tutor program will continue to receive support under this year's budget. These initiatives have proven to be very important and meaningful for people throughout the Yukon.

Other programs that the government has supported through its last mandate will also continue to receive funding.

Reading Recovery and Wilson Reading programs are very important learning tools for school communities, and they give students a solid start in school learning. We continue to receive excellent feedback on these programs and will continue to support them. They are making a difference in the education of our children. They are making a difference right at the very beginning, when children are first engaged in school. It will be interesting to see some of the results in 10 or 12 years, when these children who have gone through these programs graduate and go on to other pursuits.

The vocational and experiential education initiative continues in 2008-09 with \$385,000. This money will provide more flexibility for schools to access experiential and outdoor education opportunities. I have heard some of the projects that have begun on this and some of the changes that have occurred, not only in the classroom but outside of the classroom, and I am very encouraged by some of these projects and their outcomes.

To support the Yukon Teachers Association collective agreement in the 2008-09 fiscal year, we are requesting \$1.6 million. We believe our teachers are the heart of learning, so to attract and maintain the right teachers we will make sure they are remunerated appropriately.

We are requesting \$77,000 to continue our support of the canines for safer schools program. This \$77,000 will be put to good use at the Porter Creek Secondary School to support the drug abuse prevention program that was initiated by the Porter Creek School Council. It is great to see that this is another ex-

ample of the government continuing to work with our school councils to address a need in their schools and working with them on the appropriate solutions.

Mr. Chair, I can see that you are giving me another indication that my time is running short. I do have some other initiatives that I would like to share with members. Perhaps they will allow me to answer the questions before they are asked, but I see that my time is up.

Mr. Fairclough: I told the minister I would like to move on to education reform, but I do have one more question in regard to the Carmacks school and this one is really important. I think the minister and his staff could figure it out.

They had a lot of problems with the old school, including black mould, mushrooms growing and a lot of water problems, and so on. From my understanding of black mould in houses, it is very difficult to get rid of. Government has experienced this in the Thomson Centre. If there is a direction for a parent, say, who lived in a house that had black mould to try and get rid of it, either the house has to come down or major renovations have to take place. If you don't want that black mould to come back into your home, you don't bring it back in.

Part of the problem here is if you look it up on the Internet and read about it, it has tremendous health problems. Black mould stays with your furniture; it stays with electronics. Moving out of a house and moving back in — most people don't get rid of their electronics or their furniture in some cases.

The new school in Carmacks had old furniture moved back into the new school. It had electronics moved back in.

From my understanding of the construction of the school, the roof leaked in several places — one in the library where there is carpet; one in the common area in which we had the opening celebration. That leaked for a long time; they had tarps over the roof. As I've toured through the industrial end of that school, I looked up at the lights and there was water sitting in the poly there. It didn't come from inside the building, I don't think; it came from outside and through the roof. It was a concern and I raised it to the minister in the past and we don't want to see this take place — this mould taking a grip in this new school.

Also, we have had some vandalism in the school, where the water sprinklers were let go and flooding took place and there was more water in the school. It leaked down into the crawlspace — this is major.

This question that I'm asking, I know the minister can figure it out. I asked before anyone moved into the new school, whether or not the Department of Education, along with Health, would do an air-quality test. I know the members are figuring out why I'm saying this. It's really important. If they did not do an air-quality test before the students moved in — or right after — can the minister say why it didn't happen?

Because of the recent problems with vandalism — having the water sprinklers turn on and flood a couple of classrooms — was an air-quality test done again?

If the minister could answer those questions, I would appreciate it.

Hon. Mr. Rouble: I appreciate the member's comments about the old Tantalus School and recognize that it was a

school that had outlived its life. By all accounts, people would have liked to have seen that school torn down and replaced earlier. We are in the situation where this government made the commitment and built a new school. This school was built using the latest of materials, with design and engineered heating and ventilation systems. It is designed using the most modern building practices. We've learned a lot in building construction and design since the original school was built.

I also recognize that when we have winter construction in the Yukon there will be rain that falls and snow that falls, and that will be involved in the construction. I've been told that water is all cleaned up. There is not a direct relationship between a water spill one day and mould the next. I think we've all seen that in our houses or in other buildings, where you can have water but that does not mean there will be mould.

I have the confidence that the Department of Highways and Public Works constructed a building that meets all standards and codes, that they have taken steps to ensure it would be appropriately heated and ventilated in order to prevent some of these things from happening in the future.

I share the member opposite's concerns about vandalism in the school, and it is very disheartening to see that people would go in and intentionally damage such a beautiful and significant new facility in the community.

I know that the Department of Education will continue to work with the teachers and the administrator of the Tantalus School. We will work with them on programs to ensure that people appreciate and recognize the value of the school. We'll work with the whole community to develop a healthy sense of respect for having such a great facility in their community. I would expect that as people in the community see the benefit of that and recognize how much of an asset it is to the community, that behaviour like that will not be tolerated by anyone — by the students or by others involved — and that people will strongly discourage people from doing any sort of vandalism in the school.

The sense of pride that I saw on the faces of the students was really encouraging. I knew that they were starting to take ownership — from the displays of artwork that I had seen and the design of the new school logo. I know that people are really embracing the school and that they too are very saddened when things like vandalism in the schools occurs.

Now, Mr. Chair, the member has put forward additional concerns about the old school. Again, that is one of the reasons why it was not recognized as being a suitable structure. Along with some safety concerns and some building concerns and some code concerns, that is the reason it must come down. That is planned for this summer.

Mr. Chair, I appreciate the member's comments. We are going to work to ensure that we have a healthy, safe school environment. I am assured by the Department of Highways and Public Works that we have a beautiful new building that meets appropriate codes and standards. We are going to continue to work with our staff and school administration there to ensure that the minor deficiencies that exist in a building after it is constructed are addressed. We are going to work with the community on developing some of the plans, both in the short

and the long term, for the exterior. I appreciate that we will be putting in a sign in the very near future, then some fencing once it is appropriate to put that up.

We will continue to work with the community as we work with all of our communities on addressing the needs for additional sports equipment and a sports field once we get into the line regarding school-based planning. One of the lines later in the budget, Mr. Chair, details some of the work we are doing in all our schools — whether it is working to upgrade a sports field, or working to help a school council put in a hockey or skating rink on their school grounds. We can get into that and deal with all of our schools in the Yukon.

I do have a responsibility as Minister of Education not only to the Tantalus School in Carmacks, which we are very proud of, but indeed to all schools from Old Crow to Watson Lake, from Carcross to Ross River, and not only the public schools division, but Yukon College and our other institutions.

As I mentioned a moment ago, there are many other good initiatives going on in the Department of Education that are contained in this budget and that this budget highlights. It explains the allocation of resources in the Department of Education, and it is important that we discuss where some of these expenditures will go.

One of the expenditures we're requesting support of the Assembly for is \$90,000 to continue the support of the whole child project. The Department of Education is also requesting \$575,000 to support the Council of Yukon First Nations in the delivery of education support services.

I think members will recall this was a new item last year, and it has been a very effective partnership between the Department of Education and the Council of Yukon First Nations in providing this funding so they may provide assistance to students from rural communities in making the transition to life here in Whitehorse.

This is another example of how we are continuing to reform our relationships with First Nation governments and how we are reforming education and how we are being responsive to the needs of students, especially the students from rural communities, and helping to assist in the transition from rural communities to life in Whitehorse.

The \$575,000 to support the Council of Yukon First Nations also represents — sorry, if I could back up a moment here. I don't want to confuse folks a bit, because this is an important line.

There is \$405,000 to support the operating costs of the Yukon Native Language Centre and \$170,000 to provide salaries for support staff for education. The Department of Education has a very good working relationship with the Council of Yukon First Nations. Our staff attend the Chiefs Committee on Education meetings, as well as meetings of the Yukon First Nation Education Advisory Committee. These kinds of connections have greatly benefited both the Council of Yukon First Nations and the Department of Education, because the lines of communication are open as we work to reach a common goal, that being increased First Nation success.

Mr. Chair, it was just last weekend when the co-chairs of the New Horizons project, that being the Deputy Minister of

Education and the education technician from the Council of Yukon First Nations, jointly — and I'd like to emphasize the word "jointly" — presented to the school council conference and discussed the plans for the implementation of many of the ideas, concerns and themes outlined in the education reform project.

Mr. Chair, this is just one in a recent series of many meetings held jointly by the Council of Yukon First Nations' representative and the Government of Yukon's representative to work with other groups and organizations in the territory to inform people about how we are moving forward with education reform and how we will work to improve the quality and relevancy of education for all here in the territory.

Mr. Chair, there have been a number of Department of Education initiatives over the past few years that are improving how we incorporate First Nations' culture and values into the classroom. This year we will provide \$1.75 million in funding to support the First Nations programs and partnerships unit at the Department of Education. I am pleased to say that this unit continues to grow and provide a unique and helpful service to the Department of Education and the larger education community in the Yukon.

To ensure Yukon students have access to the best possible opportunities to learn aboriginal languages, the government is seeking \$2.8 million to cover the salaries of aboriginal language teachers in Yukon and at the Yukon Native Language Centre. The Yukon Native Language Centre itself will receive \$405,000 under this year's budget.

This year we are continuing funding to the First Nation elders in the school program for \$50,000. This program is integral to bringing the model of traditional learning into the Yukon classroom and making the classroom a more relevant place for all Yukon students.

Under this year's budget, we will also be continuing to provide \$15,000 for a counselling support worker for Champagne and Aishihik First Nations and \$15,000 for a youth counsellor for Teslin Tlingit Council.

To develop and expand First Nation curriculum and resource development, we have committed over \$440,000 this year. I believe I have shared some of the products of that curriculum work with members opposite. Last week at the beginning of Education Week, I shared with members some of the new resource materials that are now being used in Yukon schools.

These new readers include Yukon situations for Yukon students. They were a great project that was led by the Department of Education, working very closely with the First Nation Education Advisory Committee, the First Nation curriculum working group, and the Department of Education's curriculum people. My hat goes off to the folks who have produced a great new series of readers. I know I've shared them, not only with members opposite, but with a number of people. If they are as warmly embraced by the students as they are by others, then I'm sure there are a lot of smiles and a lot of worn-out copies in our classrooms.

The First Nation programs and partnerships unit has completed four grade 5 Yukon First Nation modules on govern-

ance, clans, languages and citizenship. These units will be piloted this fall. The First Nation programs and partnerships unit is currently developing grade 3 and grade 4 Yukon First Nation governance units, a grade 12 First Nation studies course, and the text for four early primary readers reflecting Yukon First Nation people — those are the books I just mentioned.

The unit is providing a Yukon perspective in the development of a B.C. grade 12 First People's English course. This course will be equivalent to the B.C. Ministry of Education English I. The unit previously developed 11 early readers, focusing on the Yukon First Nations' culture in collaboration with the Yukon First Nations and teachers.

Mr. Chair, we are making very good progress on the development and expansion of First Nation curriculum. I know this has been an area of concern for the Member for Mayo-Tatchun, and he has asked in the past that government allocate resources to First Nation curriculum and indeed to making all curricula in Yukon schools more relevant to Yukoners. I am pleased to see that we are making progress and I trust that the member will be very encouraged by the work the Department of Education is doing along these lines.

Over \$20,000 is dedicated to train all new Yukon teachers in Yukon First Nation culture during our new teacher orientation in August every year. In order to provide cultural enhancement opportunity programming for Yukon schools, we will continue to provide \$305,000 a year in funding. This important initiative supports a wide range of programs including everything from making mukluks to schools undertaking bison hunts. In this area, we certainly appreciate the work of our school councils and our advisory groups in making recommendations on these programs and in working with the schools on their delivery. We couldn't do some of these programs — things like the bison hunts — if we didn't have the volunteers working with our schools to help celebrate all of our culture and to help the children learn about these new initiatives.

Finally, Mr. Chair, advanced education continues to be supported and to support the Yukon native teacher education program with \$540,000 under this year's budget. The total Yukon government investment in First Nation education initiatives, in addition to regular programming that all First Nation students have access to, is over \$5.7 million.

Promoting and supporting French language and culture is also very important to the Department of Education. We are pleased about the development and progress of the late French immersion program at École Whitehorse Elementary and the French-intensive language programs at Holy Family and at Vanier.

We continue to receive a lot of positive feedback on these programs.

The department also continues its support of the francophone school board. I'm pleased to say the department will continue to provide \$200,000 toward an experiential learning program in French, along with an estimated \$375,000 toward in-kind services. This experiential learning program is an exciting initiative for École Émilie Tremblay and we look forward to continuing to support the francophone school board through the development and delivery of the program.

Our experiential learning programs currently offered in English offer a unique opportunity for Yukon students. These programs are special because they expand the conventional boundaries of the classroom to different hands-on learning environments, such as sailboats, mountaintops and theatres.

We look forward to supporting the francophone school board in offering this kind of programming to its students.

I'd like to thank my Cabinet colleagues and the Department of Education staff, who were involved in the crafting of this blueprint for learning in the territory. I'd also like to thank all the Yukoners who continue to express their needs and aspirations for education in the territory. These include not only the school councils, but our many advisory groups. I believe we have well over 120 different advisory groups on education in the territory and we continue to thank all for their participation and trust we will see their continued support.

The government has listened to the feedback on education opportunities and we're constantly making improvements and changes to ensure the education system reflects the values and goals of all Yukoners.

I trust after this explanation of the budget that members will see the value in it, and I would ask for their support in how we go forward with education in the territory.

Mr. Fairclough: That was a long answer, Mr. Chair. I don't believe I got an answer to the question, though. For a minister who wanted to get out at 3:00 p.m. for a dental appointment, we're not going to make that. I'll just remind him of that.

I asked a question, and I said this was very important. I may have missed it. I say that I might have missed it because I was being passed some important information — but it's in regard to air quality and the air-quality tests.

Were they done prior to the students moving into the new school? If not, why not? Was there one done after the water damage from the vandalism was taken care of? I'd like to know that.

The school is built right beside a road that's close to a municipality. That road is very close, and there have been some really close calls already with students running out of that end of the school across the road and heading up toward the store and the businesses. Has the minister worked or talked with the municipality to close that road?

I would like answers concerning those two issues: air quality, and whether or not the minister has worked or even engaged in any talks with the municipality to close that road. I think community people are interested to know the answer to that.

Hon. Mr. Rouble: I would encourage the member opposite to discuss some of his specific construction questions with the Minister of Highways and Public Works who was responsible for the construction. Once the Department of Education moved in, we were assured that the building was in the appropriate condition and that it was proper for us to continue to use it.

Following the incident with the sprinkler, Mr. Chair, the water was cleaned up in a very expeditious manner. It was cleaned up immediately, and there was no evidence to indicate

that any permanent or long-term damage had occurred, or that there would be any kind of impact on air quality.

This was water that came out of a sprinkler head that had not been in the sprinkler system for very long. It might even have just come from the municipal water system there. There was nothing to indicate that there would be a health hazard created by having a puddle of water on the floor. That was cleaned up and the appropriate steps were taken to clean the area.

We will continue to work with all our schools to provide ongoing maintenance and the appropriate ongoing air quality checks and inspections in all our schools and not only in the Tantalus School; we'll look at all of the schools throughout the territory.

With regard to the issue of the road, I understand that the fencing, while it might not be one of the most urgent priorities of the school council or the community, is one of the priorities that are present. The fencing will be looked at. The issue of closing a road — I would encourage the member to work with the school council and the village council on that issue. If there is indeed a community desire to close the road, we will certainly work to take all steps necessary to ensure a safe learning environment.

We do have to finish the demolition of the old school and clear that debris away. Once that is concluded then we can go to work on other steps such as the landscaping and fencing issues. There is still work that has to be done. I understand that a lot of supervision goes on in the schoolyard, and we will continue to work to ensure that we have a safe school environment for the students now and into the future.

Mr. Fairclough: I didn't think that would have been that difficult of a question to answer, but obviously we need to take it to another department. I thought perhaps the minister would have had that information with him in regard to the air quality of the school. That question could be posed by the public to the minister at any time, and he should have the answer in front of him and not slough it off to another department, that it is their responsibility. I know if I ask the Minister of Highways and Public Works this question, I will not get an answer, so I am relying on a minister who is perhaps able to get the information for us.

I'd like to move on, Mr. Chair. I'd like to talk about the education reform project, the final report that was tabled in this House, and I would ask the minister to sit back and listen because I do have a bit to say on it and I will be reading from some notes.

The minister knows it covers a vast range of topics, and the mandate was to increase the involvement of First Nations in schools and in the decision-making process regarding education in the Yukon.

In 1990 the Government of Yukon carried out the review of the *Education Act* to deal with the inequities in the education system. Although the resulting legislation had promising aspects, and the minister knows this, it gave the Minister of Education primary responsibility and control over education.

Yukon First Nation people had little responsibility or control over the decision-making process. In 2000 it stipulated —

in the 1990 *Education Act* — an educational review process was set to examine if the act was meeting its stated goals.

This process was not supported by First Nation organizations in the Yukon because they felt the act did not allow for adequate representation of First Nation people. There are more reasons why as well.

Things have changed, as the member knows, in a short time, since many First Nations now have self-government agreements and the minister knows that any self-governing First Nations may request the negotiation of ways in which to divide and share responsibility for delivery and administration of programs, including education delivered within its traditional territory.

I use those words because some have not looked at totally drawing down education from kindergarten to grade 12, but perhaps they have been looking at the elementary classes, and that's why it's worded that way.

For education to become meaningful and successful, First Nation communities must have direct involvement in the education of their children. They must have a sense of ownership of the schools that their children attend. Although it was not within the mandate of the education reform project, these are similar concerns and aspirations that were expressed by all Yukoners.

As the education reform project has pointed out, it was created to facilitate the developments necessary to ensure the two levels of government work together effectively to make the education system more responsive to all Yukoners, particularly First Nation students.

The education reform project team adopted the definition of "partnership" used by the Royal Commission on Aboriginal Peoples. The commission defined partnerships in the following way, and I quote from the Royal Commission on Aboriginal Peoples "...relationships that are worked out on the basis of nation-to-nation negotiations amongst equals who reach agreements by means of consent on both sides and no subordination on either side."

This is a fundamentally critical part of this report and it may be even more important because of the present government attitude displayed recently in this Legislature of not listening to anyone other than themselves.

Partnership is essential. Any viable working partnerships with First Nations need to take these factors into account: First Nation inherent rights and self-governance, First Nation input, access to information and equality. Again, I use these words: one party must not be subservient to another. That's what equality is.

Applicability: partnerships between First Nations and government should apply to each First Nation individually. Expectations that one partnership agreement can be universally acceptable to all First Nations are unrealistic.

Collaboration: no one person or group in a partnership should have the power to impose its will over others. I'm going to be asking a question in relation to all of this in the end, so I hope the minister is listening carefully.

In order to ensure that power is shared, all partners have to embrace the concept of understanding respect and nation-to-nation agreements.

Community-based model: a partnership should not be imposed from the top down. Instead, it should be structured in a way that ensures grassroots input and support. The success of this partnership will depend on the partners' ability to involve the community.

The one example the minister heard very well was in Carmacks, at the opening of the school. I talked about the strength of community direction in governance. The chairs of the school councils around the territory met back in 1996 or 1997 — I can't remember when — to talk about the priorities of their schools and the conditions of their schools. Their mandate was to come up with a capital project list, which they did.

They came up with five schools. There was the Old Crow school, the Mayo school, the Ross River school, the completion of the school in Pelly Crossing and the Tantalus School in Carmacks. What I just said about the community-based model having to involve community people and it being a bottom-up approach — that was exactly what it was. It was a bottom-up approach from the chairs of the school councils.

I say that had a lot of strength because this bottom-up approach survived many governments. It survived through the New Democrats; it survived through the Liberal government and now the Yukon Party government. That is a bottom-up approach, and when we get into the governance structure, we'll talk about this again.

Adequate resources of all kinds — time, money, infrastructure, expertise and staff — must be in place to ensure the success of any partnership initiative. Partnerships should be considered transitional in nature. Not all First Nation communities have the same level of expertise and resources.

I have more in regard to the issue of governance.

As the education reform project report states, "A new education governance model is needed, one that will support life-long learning." And we hear these words from the minister also. "Any education governance structure has to be based on partner involvement and community empowerment. Any discussion of governance that does not address these goals will fall short of the demands heard during initial consultations and previous other community consultations and reports."

I think the minister would agree with me on that. "In order to be effective and inclusive the education system has to include a range of partners, organizations and elected officials whose sole intent is to provide the best educational service possible."

The new governance structure proposed in the report is intended to be a bottom-up, participatory model that is open to input from a broad range of groups and individuals. I believe the minister understands that as well.

"It will allow the educational system to be more effective, more inclusive and more responsive to the concerns of all its partners, including First Nations communities." This is presently the model that is used in a very large percentage of Canadian communities, and in these jurisdictions they are simply called "school boards". Their authority is more far-reaching

than what is being proposed here — of course they have a bigger budget than we have — the Minister of Education in these jurisdictions still retains the ultimate authority, and I bring this back up to the minister, as the minister should have this authority. But there, the minister delegates his authority to the individual boards.

As recently seen in Nova Scotia, if, in the opinion of the minister an educational authority is no longer functioning in the best interests of society, the institution can be dissolved with the stroke of a pen, and that is very much the exceptional case. The report briefly outlined the concerns they heard expressed in the consultation.

I'll repeat that. The report briefly outlines concerns that they heard expressed in the consultation, "...the level of frustration that many First Nations people feel about the educational system in general; the disparity between First Nations and non-First Nations student achievement; the lack of culturally relevant curriculum; the lack of opportunity for meaningful involvement in the delivery of an educational program; the perceived and actual systemic barriers within the education system; and the slow pace of progress toward acceptable measures of control over First Nations education.

"The desire for a new education governance structure is not limited to First Nations. The authors of the 1990 *Education Act* and the legislators of the day recognized a need for legislation that would allow for significant input by parents, communities and partners into the decisions that affect Yukon students.

"In the document *Renewing the Partnership: Draft Recommendations (Education Act Review 2001)* the *Education Act* Review Committee stated that a new governance model for public schools in the Yukon was needed (pp. 70-71), based on several observations: Much of the *Education Act* is based on the concept of school board governance, although after nearly 20 years only one small board exists. The current governance model does not adequately provide for a true partnership with the people who it affects. Parents feel powerless in the current governance model. The school council structure has not provided an adequate level of involvement for them in shaping the kind of school they want for their children. First Nations people are frustrated because their children are less successful in school than non-First Nations students. They want a part in the decision-making process to make sure that their children will do better. First Nations parents are also not satisfied with the curriculum."

"The partnership that was envisaged in the creation of the *Education Act* has not survived implementation. The concept of a school board in every community, and several boards in Whitehorse, has failed to meet the test of public interest.

"The committee visualized a Yukon-wide governance model encompassing all Yukon schools in the form of school boards rather than, or in addition to, school councils. Their recommendation was based on the boards' perceived ability to influence decision-making.

"School councils: Despite the provisions in the *Education Act* for school boards, which would support more community participation, in the 17 years since the Act was passed only

three school councils have explored the possibility of evolving to a school board, and only one school board has been formed.

“The majority of Yukon citizens, partners, educators and politicians seem to agree that the existing legislation does support community and partner involvement. This raises several questions:...”

The minister could take the time to listen to them.

“Why is there only one school board in Yukon?”

“Why have communities not embraced the potential for substantial authority over the operation of their local school?”

“Have school councils been encouraged to assume more authorities over the operations of their school?”

“Have school councils been encouraged to evolve into school boards?”

“Are there sufficient mechanisms in place to enable and support school councils to evolve and assume the authorities afforded by the *Education Act*?”

There are lots of questions here. I know I’m running out of time, and there are only a couple of minutes. I’d like to finish this if the minister would allow me to do that, and I will save other questions until the end.

Hon. Mr. Rouble: I appreciate the comments coming from the member opposite, and I am just going to ask one question so that we can really have some clarity around this issue and so I can understand where the member is coming from. That question is this: does the member opposite support the governance structure proposed in the education reform document?

Mr. Fairclough: I will answer that question in a bit, but I am going to ask that same question back to the minister.

During the *Education Act* review of 2000 to 2004, it became apparent that there was a general perception that school councils lack authority and are subservient to the school’s administration and the Department of Education. Because of this perception, many people were reluctant to involve themselves in school councils. In talking with some of the school council members and the public, many of them wanted to join school councils but did not want to be there for simply doing fundraising; they wanted serious involvement.

The present elected term for school councils may not be long enough, and I say “may”. The school councils are constantly in a state of flux with not enough time for members to be able to understand the issues and propose solutions. In addition, school council members do not appear to be well versed in the important topics such as school budgets, Department of Education budgets, the *Education Act*, collective agreements, public school policies, the *Education Staff Relations Act*, and other issues central to the operations of schools in the Yukon. I know the department knows this, but it needs to be pointed out again. School councils are integral to any initiatives related to education, governance, community involvement, empowerment and partnership. Without the enhanced support of the school council — one able to be fully involved in the operation of schools — community empowerment is not possible. Without community the intent of the *Education Act* will not be realized.

In addition, responsibility for school councils should include any revisions to the *Education Act*: “...involvement in

selecting school-based staff; recommending staff hiring for the Department of Education; involvement in staff performance evaluation; an enhanced role in evaluation of site-based administrators; involvement with school budgets; approval of school budget expenditures; timetable approval (teachers and students); approval of educational field trips; advance approval of educational day trips; being informed of all school-raised funds and expenditures; development and approval of the school-year calendar; community use of school facilities; development and approval of local policies; approval of over-aged students enrolling in secondary schools; and responsibilities delegated to them by the Minister of Education based on requests as per section 9 of the *Education Act*.”

I’m going to ask this again — I know the minister might be following along. Policy development — “Locally elected school boards, councils and committees should be involved in the development and approval of all public school policies. They should also assume responsibility for the development and approval of local school policies in the following areas: policy and procedures regarding attendance and truancy; policy and procedures regarding student attendance during extreme weather conditions; policy and procedures regarding a student code of behaviour and student suspension and expulsion; community use of school buildings and equipment; length of school day, lunch break and recesses, in keeping with the provisions of the *Education Act* and its requirements; provisions for religious instruction for students; implementation of new programs and activities; development and/or review of all policies, guidelines or procedures; hours of instruction for aboriginal languages; field trip participant selection and adherence to curriculum; and other areas as agreed to through discussions with the Department of Education or with the Minister of Education through section 9 of the *Education Act*.”

We will come back to that again, like I said earlier.

“Proposed structure: the existing education system is perceived as hierarchal and resistant to any community input. The governance structure proposed here would allow government to become more responsive to the wishes of the larger educational community. The structure would have the following characteristics: facilitating broad community input in education; providing First Nation representation; shifting many decisions away from the Department of Education; senior administrative support; and facilitating educational decisions based on instructional, not political, needs.

“The governance structure proposed is intended to build a more collaborative relationship among education partners, broaden the participation in the education system and increase First Nations involvement. It is designed to better meet the needs of students to make the educational decision-making more transparent and more participatory.”

The authors feel — and I feel the same way — that the responsibilities will likely change as the governance structure matures and evolves. The minister will say the same thing.

“The goal is to provide an operational concept that incorporates the concerns and objectives of the various education partners. The structure provided here is a proposal only, not a definitive listing of roles and responsibilities.”

The authors point out that there are three reasons why the concept is proposed in general terms, and they are pointed out on page 1.12. The first point is that a governance structure will grow and evolve with time. People who are involved with education in a meaningful way should determine this growth and development. The second point is that the education reform team wants to encourage discussion on all aspects of the proposed concept.

A definitive listing could potentially discourage this and that's why I brought this forward.

The third point is on that same page: "The team members have not yet heard all of the issues that are important to communities and they want Yukoners to understand that what is being proposed is not final.

"The governance structure proposed here provides opportunities for all partners to participate and contribute. Four groups are crucial to this proposed governance structure: a Yukon First Nations Education Committee; an Education Executive Committee; an Education Consortium and school councils."

I do realize there is much to cover in this report and there is more than of course what I brought out today, but I feel that this is not only the essence of the report, but is a fundamental hurdle for this government to get over. I'm going to ask a question on that as well.

If the government can move on the issues identified in the report, the rest will follow — I'm sure — in an orderly and progressive manner.

I'm hoping that the minister was okay with me going through that.

He asked me a question of whether or not I support that structure — I do, but I also supported going out to the public.

Here is a question I have. In *Hansard* on May 10 — this is coming from the Premier — he says and I quote: "The members opposite are saying — and I heard it just today — 'the sharing of power'. I would transpose 'power with authority'. When you consider the sharing of authority, it can only be done by devolving that portion of jurisdiction. That's not what this government will do."

Those are the words of the Premier. "That's not what this government will do" — that's what the Premier said. This was on May 10, 2007.

I want to ask the minister this: does he share the same view of governance as his Premier?

Hon. Mr. Rouble: The education of our youth, and indeed of all Yukoners, is of tremendous importance not only to this government but to all Yukoners. When we look at the purpose of education, it often plays two roles. One is to encourage and allow an individual to grow up to become all he or she can be, to grow up to lead a meaningful life however he or she defines that, and education also has a role and responsibility to the community. We need to prepare people to live happy, responsible, constructive, productive lives in our community. We need to have people who are educated and trained to meet the needs we have in our community, to provide the many valuable services we have throughout the whole community.

I've been asked what we need to train and educate people to do. My answer to that is, look at the telephone book; look in the yellow and blue pages. We need to provide the education and the training in order that people can grow up to do all those things.

Education also plays a role in the transferring of the culture, in bringing people forward in our Canadian culture, our Yukon culture, in our specific community cultures and our First Nation cultures. Some have said that education is the carrier of culture.

It is very important that we work with all the partners and stakeholders in education. When we've come up with our many lists of who are the partners and stakeholders in education, who is interested in the outcomes of education, it includes First Nation governments, this government, the federal government, municipal governments, religious organizations, language organizations, cultural organizations, operational organizations, work organizations and industry organizations. Really, it includes everyone not previously mentioned.

We all have a vested interest and a responsibility to education, and we all need to work to build the best and most responsive education system. That, Mr. Chair, means that we have to listen to people. We have to listen to students, parents, teachers, the administrators, the employers and the community. We have to be aware of how people learn and we need to be aware of what people need to learn. We also then have to figure out the best way to help them learn that.

We have an excellent education system in Yukon and one that has many, many successes. When you look at the outcomes of our system and the quality of people who are produced through our education system — I know as Minister of Education that I am very proud of them and proud of their accomplishments.

Are there challenges in our community? You bet. We won't make them any better by hiding our heads in the sand. No, we have to look at them, talk about them and embrace them and come up with strategies to eliminate them.

In the Yukon, we have a fairly small system with only about 5,000 students. We have a fairly small system of schools, albeit spread across a huge geographic area. We have a tremendous staff of teachers and administrators and educational professionals, and I'm constantly amazed when I walk into a school — and I had the opportunity just yesterday to be in one where the school principal knew every student's name. Not only did he know every student's name, but he also knew the student's brothers and sisters — most likely, his or her parents too.

The principals and the teachers have a deep understanding of the kids, their particular characteristics, their unique learning styles, their strengths and weaknesses, and I know the teachers work very closely in the classroom with their students to provide the best learning environment possible.

Our administrators work very closely with our teachers to provide the best school possible. That's a school that engages the children, that helps them to succeed, that helps them to learn and helps to involve the community.

Mr. Chair, we are working very closely with our communities to include them in planning and in the decisions being made in the school.

I appreciate the member saying that we need to start looking at this from the bottom up, so that is where I'll start.

We need to look at the students that we have, the children in the classroom, what their strengths and weaknesses are, what their learning styles are, and what are the best ways to teach them.

Also, we have to learn what we need to teach them. We have some excellent curriculum resources now. We know we have to work on literacy skills; we know we need children who know how to read and communicate; we know we have to work on numeracy skills. That's why, in our public schools and in the primary grades, two hours a day is dedicated to literacy and an hour a day is dedicated to numeracy.

We need to work with our children so they can learn how to read, to comprehend information, to analyze it, and then communicate it to others. Those are very important skills that they will continue to work on throughout their educational career.

We also have a wide range of additional subjects that children need to know about, to be aware of, or to have the opportunity to learn about, in order to grow up with a healthy, well-rounded and well-prepared education. They need to know about science; they need to know about history; they need to know how to use technology — whether that's the technology of an automobile or the technology of a computer, or the technology involved in carving a paddle.

We also know that we have to respond in a culturally appropriate manner. We need to respond in a manner that is appropriate for First Nation students and the variety of First Nation communities that we have, and different First Nations.

We also have to be responsive to language needs — English, French, French-first-language, and we also have a responsibility to recognize that we have a growing population of people for whom neither English nor French will be the first language that they will have learned.

We also have to be responsive to people of different religious backgrounds. The *Charter* speaks to that, the *Yukon Act* speaks to that, and our *Education Act* speaks to that.

There are a number of different areas that we need to prepare students for and a number of different frames of reference that we have to consider when coming up with programming and curricula.

On the programming and curricula side of things, I think all members are aware that we follow the Western and Northern Canadian Protocol, where we work with western and northern provinces to ensure there is similarity and equality of parity of the educational materials so that, if there is a transfer of a child from one jurisdiction to another, they can fit in easily. Also, we need to ensure that, as a nation, we are providing an equitable level of education to all Canadians.

We work very closely on our curriculum with our territorial, provincial and national partners, but we also recognize that there is a need to have community-based and locally based curriculum, and we address that in a number of different ways.

We work with the curriculum branch in the Department of Education; we also work with the First Nation Education Advisory Committee and that changes the content of some of the curriculum materials.

I just tabled last week some of the new curriculum materials that educate Yukoners in a way that is more culturally appropriate and culturally relevant to Yukoners.

Mr. Chair, one cannot teach without teaching in a cultural context, whatever context that might be. We are working very hard to ensure that the information that is being taught in our schools is being done in a culturally appropriate manner.

We get that direction from our various partners: our school councils, our advisory groups, our parent committees, our over 110 different advisory groups that advise governments about education.

Mr. Chair, the member opposite wanted to start from the ground up or from the broadest level possible, so let's do that. We'll start with the school councils and how they have an impact on our school communities and how they have an impact on our broader education system.

I'm not sure if the member opposite is aware of the school planning and review initiative — yes or no?

Some Hon. Member: (Inaudible)

Hon. Mr. Rouble: The school planning and review initiative ensures that all Yukon schools develop *Education Act*-mandated school learning plans in cooperation with school councils and school boards and that these plans are externally reviewed on a regular basis.

We have also created a school growth planning advisory committee. This is a meeting to improve the process for the 2008-09 school year. The committee is made up of representatives of the Yukon Teachers Association, the Association of School Administrators, the Association of School Councils, Boards and Committees, the Yukon Catholic Education Association, the francophone school system, the First Nation Education Advisory Committee and the Department of Education. We have recognized that there are some challenges with incorporating all of the ideas going on in the community into the school plan. We're trying to come up with a better process and a more inclusive process, and we're involving all our partners in that review.

The department is committed to undertaking and continuing the school planning and review initiative that will ensure that there is a school learning plan, and that includes the school administrators and the school councils in setting a learning plan for the community.

One of the things that I've noticed — and I'll touch on this a little bit later in greater detail — is that the member was asking for many of the things that are identified as duties and responsibilities in the current *Education Act* to be incorporated in new structures. I can recognize that it would be important to incorporate many of those initiatives, things like having input into the school plan, the school calendar, the school year, or the development of locally created instructional materials.

I'll come back to this a bit later, but the member should be aware that those powers are already granted to and expected of our school councils. We have a tool; we have a vehicle out

there that is entrusted to do many of the things that we're asking them to do. What we need to do is work with our school councils to build their involvement, to let them know this is an expectation and to encourage them to become all that they can be.

This was discussed just this past weekend during the school council conference that was going on and I'm sure will be discussed at future school council conferences and at meetings of the Association of Yukon School Councils, Boards and Committees, which is another broader group. This is another organization that works with all the school councils so they can build capacity among their individual councils. Not all school councils in the territory are currently members of this association.

The government will provide their membership fee, should they choose to join the Association of Yukon School Councils, Boards and Committees. I would encourage all Yukon school councils to join this association. By coming together and working, all the school councils will benefit and they can then become a more effective voice for education in the territory. As they grow and develop, they will be able to train people to better address the needs on a school council and also we, the Department of Education, can use them as a vehicle for having broader discussions about things such as a common vision for education.

There are other vehicles we have out there for getting additional input. As I mentioned, there are some 110 committees. I know the Council of Yukon First Nations put together a list of the 115 different advisory committees they are members of that advise on education. Another one that's very close to the Department of Education is the First Nation Education Advisory Committee. This includes representatives from all Yukon First Nations across the territory, whether they are self-governing First Nations or not. It allows them to come together to bring forward issues and concerns. We're seeing the products of those in our schools on a daily basis.

There's also another organization, the Yukon Chiefs Committee on Education, and I work very closely with the chair of that on looking at educational issues that face people across the territory. I have sent issues to them, requesting input on different topics, whether public school education or even advanced education.

This government has already enacted the *Cooperation in Governance Act*, which creates a Yukon Forum that includes this government and First Nation governments, in order to have government-to-government discussions on topics that are relevant to all orders of government.

We will continue to use that forum as well as all of the other vehicles that we have in order to involve Yukoners in the education system to ensure that we have an education system that not only meets the needs of the individual, but also of the community at large.

Mr. Fairclough: The minister didn't answer the question. I am going to ask it again, and the minister doesn't have to be long in his answer, just short. We are getting some mixed messages from the government side. The minister is saying one

thing, and the Premier is saying another, when it comes to governance.

We asked questions about governance to the Premier, and what did he say? "Governance is off the table". We knew it wasn't. It had to be in the report, because otherwise the report wouldn't have been tabled in the House. It had to be in the report, but the Premier still maintains that position. I believe it is not the position of the minister. There is a problem here. The Premier claims that he will not devolve public jurisdiction, and he will not devolve public government. I quoted him from May 10 of 2007, and he said this: "The members opposite are saying — and I heard it just today — 'the sharing of power'. I would transpose 'power with authority'. When you consider the sharing of authority, it can only be done by devolving that portion of jurisdiction. That's not what this government will do."

Those are the words of the Premier. The public tends to listen to the words of the Premier. We are trying to get this education reform project report out to the public, and the Premier is saying that that is not what his government will do. He is the minister's boss, so I have to ask the minister: does he share the same view as the Premier, or is he going to stick to his beliefs and take this governance out to the public as it was designed for?

I would like to hear the latter, myself.

Hon. Mr. Rouble: Perhaps the member opposite could clear up some confusion that's coming from the Official Opposition benches. It would be very important to clear the air on this. On April 15, 2008, the Leader of the Official Opposition made a statement — and I quote from page 2495 of *Hansard*.

"I just want to clarify one thing for the record. The Member for Pelly-Nisutlin made reference to co-governance. That is not something that we in the Official Opposition have or will endorse, so we are ad idem on that."

Could the member please clarify the statement made by his leader with his now urging that we enter into something that is contrary to what his leader stated they didn't believe in?

Mr. Fairclough: I have to say I'm absolutely shocked at the minister's understanding of the governance model as proposed in the education reform report. I am really surprised that he thinks it's co-governance. Is that the case? If that is the case, we're going really wonky here, because it's not our understanding that co-governance is in that structure that's proposed.

That's why the Leader of the Official Opposition made those remarks. It's not co-governance. It's a governance model. I'm going to ask the minister this, then: does he believe that model, because of his question here today, that's proposed in the education reform final report is co-governance or governance? What does he believe?

Hon. Mr. Rouble: Thank you, Mr. Chair.

There are certain challenges when we enter into a debate, when different people have different ideas about the meanings of words. I'll be clear on this: the government believes in involving community members in the education of their children. It clearly believes in involving school councils in the schools and with our work with other advisory groups. Through other

consultation, it is clear; we continue to work with others, to listen to their concerns and to develop and address solutions that are in the best interests of students.

I believe it is important to involve Yukoners in continued dialogue and discussion as to how we can make our education system better, how we can work with our school councils and how we can build them up to their fullest potential.

In his previous question, the member asked how we would go about making changes in order to give school councils the power to approve curriculum and extracurricular field trips, just as an example.

That's in the act. Section 113 of the *Education Act* deals with school councils. It lists all that a school council "shall" do — not "may" do, but "shall" do. The first section states: "(1) A council shall

(a) review, modify if necessary, and approve the school objectives, educational priorities and courses of study by grades, as prepared by the school administration, and other matters required for the effective functioning of the school;"

It goes on to say, "A council shall...(c) participate in the selection procedures for persons to be interviewed for the position of principal..."; a council shall, "in consultation with the superintendent, school administration and teachers, establish a procedure for resolving disputes between schools, parents and teachers;"

It goes on to say that a council may — these are up to the school councils — "propose and offer locally developed courses of study and locally approved instructional materials subject to the approval of the Minister and this Act; (b) receive and spend funds pursuant to this Act".

It goes on to say that it may "direct the superintendent to evaluate a teacher, principal or other staff member...(i) recommend to the superintendent the dismissal, transfer, discipline or demotion of a teacher, principal or other employee in the school and provide reasons for the recommendation; (j) approve curricular and extra-curricular field trips of more than one day's duration; (k) approve the allocation of school days for extra-curricular activities."

These are just some of the responsibilities and possible duties of our school councils. As I said last week to the Yukon Association of School Councils, I want to see our school councils live up to the spirit and intent of the act. We will continue to work with our school councils to do that. We'll do that with initiatives such as the school planning and review initiatives, we'll do that with our support to the Association of School Councils, Boards and Committees and we'll continue to work with organizations such as the Commission scolaire francophone du Yukon, the Yukon Catholic Education Association. We will continue to work with all our partners in education.

Also, Mr. Chair, I will continue to work and the department will continue to work with our interprovincial and inter-territorial colleagues.

It should also be recognized that education is the exclusive jurisdiction of the provinces and territories. That is recognized by the Council of Ministers of Education and that is in our constitution.

Mr. Chair, we will continue to work with all our colleagues and with our partners. We have received the education reform document. It was received before Christmas, and once it could be printed — yes, there was a delay in establishing a meeting due to weather constraints. Unfortunately, very early this year we were hit with significant weather impacts and other challenges that caused some delays.

Once the education reform document was acknowledged by the Council of Yukon First Nations it was released publicly. The day following the motion from the Council of Yukon First Nations to release the document, I met with our other stakeholders in education and presented them with copies of it. Now we are working with all stakeholders and partners in education as we go forward with the implementation of this.

The implementation of this is called the New Horizons project. It is co-chaired by the Deputy Minister of Education and an employee of the Council of Yukon First Nations. They have made a commitment to the chair of the chiefs committee and me to have an implementation plan created later this summer, and that they will continue to work with our various stakeholders and partners in education on coming up with a plan to address issues brought forward in the education reform document.

They've already met with the CYFN leadership; they've met with First Nation governments and have offered to meet with other First Nation governments. They've met with the Yukon Teachers Association executive committee; they've met with the secondary school planning committee. They made a joint presentation last week at the Pan-Canadian Interactive Literacy Forum. Also last week, they made a joint presentation to the Yukon school councils conference, and there are additional meetings that are scheduled.

One of the really telling comments/questions came up last weekend at the school councils conference. People said, "We have that document, but what's changed?" Another participant at the conference said, "Well, it's obvious; we have a joint presentation from CYFN and the Department of Education. That wouldn't have happened five or 10 years ago."

We're working very hard with our school councils to empower them to live up to their responsibilities and obligations under the *Education Act*. We're working very hard with our other partners in education.

We will continue with our process, going forward. There are some very good ideas in the education reform document — very good ideas — some that are already being incorporated. There are other ideas in there that do require additional debate and analysis. They need debate in the Department of Education with the teachers, administrators, parents and school councils but they also need discussion with other orders of government, with the First Nation governments specifically.

Mr. Chair, the Premier has said the territory recognizes that it has responsibility for public education for all Yukoners — that's all Yukoners — regardless of language or ancestry.

We also recognize that First Nation governments have negotiated in their agreements the ability — should they so choose — to set up their own structures.

I believe there was a reason why those agreements were struck and why those additional powers were put in there. Just as Yukon has devolved powers from Canada, I expect that Yukon First Nations in the future will also want to establish their own program, their own legislation, their own way of doing things. That's why I believe they were negotiating an agreement in the first place.

We are not asking — nor are we prepared to ask — First Nation governments to devolve any of their authority or any of their responsibility to the territorial government. We are certainly not asking First Nation governments to give us authority over their spending or over their policy-making.

What we are interested in is working in cooperation and working with all Yukoners. We have formally signed the cooperation in governance agreement, and we'll agree to work cooperatively and collaboratively in order to meet the needs of all Yukoners.

We must also recognize that the Yukon has a public education system, with a responsibility to all. We have a responsibility to involve all in education.

I should point out though that, as education is a jurisdiction of the territorial government, I don't recognize the benefit of having a federal representation on an advisory board for something that is territorial or provincial in nature. The idea of putting a federal representative on an advisory board to tell the territorial government what to do is contrary to the whole process of devolution and contrary to the whole process of being a territory and having responsibility to the citizens.

Yes, I agree that some of our federal government agencies share a common interest, and they share an interest in education in the territory and an interest in training. However, it is the jurisdiction of the territorial government to provide that and, while we might meet with them and consider their opinions, I certainly don't think it would be appropriate to put them on any kind of education consortium that would then be advising the government. That's just one of the challenges that I see with the model that's put forward, but I am certainly not willing to throw the whole process out because of one fly in the ointment.

Mr. Chair, I think it's very important that we continue to have the dialogue, as I believe the drafters of the education reform document created, about how to best involve Yukoners in Yukon education. I also recognize that we have a very progressive *Education Act*, which is very empowering to school councils and to school boards.

We do have work to do at all levels in order to ensure that our school councils are working to their potential. I think they are a very valuable asset in our community as, I should add, is Commission scolaire francophone du Yukon.

It is not my intention, Mr. Chair, to see any reduction in the authority currently vested in the school board. We have a school board in the territory; we are continuing to work with them on their delivery of education. It is an ongoing, growing and developing relationship, and as their school board develops greater capacity, we will continue to work with them.

I think that is an important vehicle that we have in our community. The Department of Education will continue to

work with them until we get to the day when it is not a joint delivery but, right now, on the joint delivery of education to French first language citizens, I think the Department of Education will always have a role and will continue to work with Commission scolaire francophone du Yukon to assist them in providing French first language education here in the territory.

We have strayed quite considerably from the budget. I do have over 120 million other things to talk about in this budget. I appreciate the member's interest in this and, if he has other perspectives that he would like to share, I would welcome hearing them.

I would also welcome an opportunity to get into greater detail about some of the investments and expenditures that this government is planning for the Department of Education.

Chair: Committee of the Whole will recess for 15 minutes.

Recess

Chair: Order please. Committee of the Whole will now come to order. The matter before the Committee is Bill No. 11, *First Appropriation Act, 2008-09*, Department of Education.

Mr. Fairclough: Mr. Chair, it is interesting that the minister asked in this House only minutes ago, a question about our position on governance. I think he was taken by surprise when I asked what he thought was the structure of the governance model that was proposed by the education reform project final report. I would like to hear a very clear answer on it.

If the minister is confused about it, the structure proposed in the education final report on page 1.13 is what we believe in. We understand that it could possibly change a bit through public consultation, which route it is taking now through New Horizons. We believe in that. This is governance.

It's not co-governance. Maybe the minister thinks it is, but it's not co-governance. This is a governance model that has a sharing of power. It's a sharing of power. And this is what we believe in — this model that's being proposed here.

I don't believe that was anything different from what we've said in the past. This whole issue of co-governance is one that has been brought up by the government side. I don't believe it has been understood right, and it has been brought up by the third party also.

I don't believe that all members on that side of the House understand it. That's why I keep coming back to the issue of whether or not the Minister of Education, who wants to bring forward amendments to the *Education Act* as the recommendations through the education reform final report has — whether or not he believes in the position of his own Premier.

It is a problem, and I know that perhaps the minister is struggling with that a bit. It is a problem. I asked the minister this: I asked him about whether or not he shares the same view as the Premier. And the Premier said that he would not devolve public jurisdiction, he would not devolve public government.

On May 10, 2007, I said the minister said this, and I'm going to quote it again, and maybe the minister could explain for members of this House why his Premier, his boss, said this. His

boss said this: “The members opposite are saying — and I heard it just today”— this was on May 10, 2007 — “‘the sharing of power’”. I would transpose ‘power with authority’. When you consider the sharing of authority, it can only be done by devolving that portion of jurisdiction. That’s not what this government will do.”

Those are the words from the Premier and the public listens to that.

What does that mean? Does the minister share the same view? If he does, then any further consultation on the education reform final report is jeopardized, because one of the biggest issues that has been raised in this report is the whole issue of governance. The Premier has quite clearly said that governance was not on the table. It was not on the table — he said it over and over again in this House. I’m glad that the authors of the report included their findings in their public consultation — included governance in their report — because they had to. It is their findings — “This is what we found. This is what we heard.” — with regard to education reform.

Do as you want with this report, but their recommendation is that the department sends it back out to the public and says, “This is what we found. What do you think of this report? Can we improve it? Is it acceptable?”

I’m very interested in what the minister has to say about the Premier’s remarks about devolving a portion of jurisdiction because, as I understand it, Mr. Chair, he can do it today. The minister can do that today. Maybe it’s up to the government of the day whether or not they want to implement any or portions of any legislation, but this is the *Education Act*.

And in section 9, I brought it up a few times to members opposite, I will quote: “The Minister may in writing delegate any power, duty or function conferred on the Minister by this Act to a School Board, a Council or to any employee of the department”.

The minister can do that, and I believe that section of the act, section 9, will remain in the amendments to the *Education Act*. I think it will survive because that’s how it has to be.

We believe in the sharing of powers; we believe in the bottom-up approach that’s being proposed in the structure — that’s what we believe in. I know, in the end, that the minister and the government have authority over education, but this structure is going to help the minister.

I’m hoping that the minister will take this forward despite what the Premier is saying. It is going to be a tough job, because we have seen the Premier take away the responsibilities of some of the ministers already in this House. My direction to the minister is, “Hang tough and do the right thing. Take it back to the public as it is written. Don’t have things excluded, because the Premier has said that he will not include governance.”

“Governance is off the table” is what we keep hearing from the Premier.

I just read a quote from the Premier of May 10, 2007. He said that is not what his government will do, even though they have the ability to do it.

I think things are straightforward. I understand this model fairly well. I have gone through the book — there are a lot of

recommendations that came out of the *Education Act* review that are included and should be because the education reform project team did take those recommendations into account, and they do have their own recommendations. I understand that. We have gone over this. This structure is what we believe in and we believe that it involves community people from the bottom up, and they are involved more than ever in decisions that affect them.

I’ll ask the minister whether or not he believes the Premier’s position on this. It was said on record and it can’t be ignored. It was brought to our attention by First Nations, so it’s involved in bringing forward their ideas to the education reform project team, which has resulted in recommendations. It’s an issue; it’s a concern that people have.

I want to know how the minister is going to go about setting the record straight with his team, because I think what really needs to happen is the minister needs to sit down with the Premier and go through this education reform project final report in some detail and really get a good understanding of it.

Everybody should take their time to do that, because I think it changes the way things are done in the Yukon quite dramatically and that’s what the public wanted to do. I’m wondering if the minister can give us a few ideas about how he is going to go forward in educating the Premier on this and getting it straight, or are we going to end up seeing a change down the road, because his boss has different views?

Hon. Mr. Rouble: I appreciate the concerns coming forward from the member opposite. It’s always interesting to hear his perspectives and positions on issues.

I think all members in this Assembly will recognize that, if one takes a look at the Constitution of Canada, they will see that education is the responsibility and the jurisdiction of the provinces. That has been recognized as being a territorial responsibility. We do have our *Education Act* in the territory, which means that public government — this government, and indeed this Assembly — is responsible for education for all in the territory.

That can change and we all know that. However, until the day that it does change, government has a responsibility to all Yukoners to provide quality education so that our students can grow up to be positive, contributing, self-reliant members of society. Our *Education Act* indeed goes through a whole list of characteristics and criteria that we want to see developed through our education process.

The government will continue to do this and involve others in education. We will continue to work very closely with all stakeholders, partners and orders of government in educating our youth and indeed our adults, when one looks at continuing lifelong learning.

We will continue to work with the *Education Act* until it is ultimately amended. We will continue to respect the structures that we have in our *Education Act* and the structures that we have in other government legislation.

We will respect the First Nation self-government agreements and other agreements that we have with the First Nations. We will also continue to work with Commission scolaire francophone du Yukon and we’ll work with our school coun-

cils. We'll work with our school councils to help them develop their skills and capacity to be involved in the education of children in their schools and in the overall school system.

In my discussions with people throughout the territory, I have heard that they very much want to be involved in their local school and to see their community reflect the language, culture, the ideals and the vision that is relevant in that community. I think people do recognize that our different communities are different, and that there are different perspectives and different priorities from community to community. Indeed we see different priorities from school to school. We need to work with all our partners to ensure that we have a system that is responsive to these differences.

At the same time, we need to ensure that we have a system that creates a level of equality. We need to be concerned about equality in outcomes, equality in the inputs and equality of opportunities. We do recognize, Mr. Speaker, that there are different ways of achieving the same goal or, as one of my colleagues says, to hit the same target shooting from a different angle.

We do recognize that different schools, councils and communities will want their interests met in different ways. We celebrate those differences and will also work to ensure that we have equality in the system.

We do know in our territory that there are differences in student outcomes, and we recognize that we need to eliminate the gap between students performing at the high end and students not performing so well. We are not going to do that by moving the bar down; no, we are going to do that by working to improve the outcomes of students who aren't achieving to their potential.

We've also made a commitment to do that as the Council of Ministers of Education. The Council of Ministers of Education have made a commitment to eliminate the gap in the performance between people of First Nation ancestry and non-First Nation ancestry.

We will work in the territory to do that and there will be a wide variety of tools that we in the Department of Education, in the government, and in our society will need to use in order to accomplish that objective. It certainly cannot be done by teachers alone. It will need to involve all in the community.

Mr. Chair, we have a very progressive *Education Act* and it is very progressive even as it sits right now. I agree that there are some areas of it that need to be amended and changed. I'm not sure if the budget debate is always the best opportunity to get into that and go through the *Education Act* section by section.

One of the things that I have recognized — and I have talked to people from Beaver Creek to Watson Lake and points in between about what they want to see in their education system and what they want to see in their school system. I have had people come up to me and say, "I've heard that this school in that community changes their spring break or their break in order to accommodate this function or that function — can we do that here?"

My answer is yes, it is written in the current *Education Act*. It is a power that the school council currently has. I would

encourage the member opposite to take a look at the *Education Act* and section 113 and take a look at the different responsibilities that are expected of school councils.

Take a look at what is expected of our school councils. One of the things that we need to do, and it was picked up on to a degree by the education reform project team, is to take a look at why those aren't always being picked up on. What are the barriers in the community to having some of these come to fruition? What is preventing people from doing that? I am not sure, Mr. Speaker, if we just come up with a new name for a new committee that we'll change that.

As one person said to me, "You don't need to buy a new axe when you can sharpen the old one." Just getting rid of the old tool doesn't make a whole lot of sense, especially if it has a lot of value and a lot of use. What you can do is work to sharpen the tool to make it better so it can address the situation.

The education reform document has been released to people throughout the territory. People will recall that it is a joint Government of Yukon and Council of Yukon First Nations document, and it provides recommendations to both orders of government. It provides for changes to how Government of Yukon approaches things and it also provides recommendations as to how Yukon First Nations should address things. I know that is a very interesting point to see that in the document, and I know it has caused some discussion around the table when it has been discussed.

I think it is important to recognize that the document provides recommendations for both orders of government and we recognize that both have a role to play in education and in working to identify the priorities of education, and indeed both have a responsibility in educating their youth. I mean that both in the official sense, in the education we expect to see in the school system, but also there is a much broader definition of education and that includes all the learning that goes on outside of the school, and we all have to be involved in that.

The education reform document has been released; it has been sent out. I was with the chair of the Chiefs Committee on Education as we presented it to people. We held a joint press conference to release the document; we released it in unison. Mr. Chair, we presented it to other stakeholders in education and we are now going forward.

The Council of Yukon First Nations and the Yukon Department of Education are working on the New Horizons project, and we are working in partnership on doing this. The chair of the Chiefs Committee on Education, officials from the Council of Yukon First Nations and officials from the Department of Education and I had a meeting last week. Yes, part of it was by telephone, but we were all joined by modern technology in one room to discuss how we would work together to address not only the issue that the member is bringing up but other issues from the education reform document.

The Government of Yukon and the Council of Yukon First Nations have agreed to continue to work in partnership during the implementation phase — what we are calling "New Horizons: Honouring our Commitment to the Future". A project team consisting of equal representation from the Council of Yukon First Nations and the Department of Education has been

struck to develop a process that will engage partners in education in the development of a multi-year implementation strategy.

We recognize that some of these recommendations and issues can be addressed immediately. We recognize that some are being worked on currently and some will require a longer term implementation.

The New Horizons process will be based on cooperation, collaboration and partnership, and will be solution-focused. The implementation strategy will be a living document for the monitoring and evaluation procedure that will support a responsive education system that will meet the evolving needs of students.

Mr. Chair, we're committed to going forward together and to working together. I agree that there are some good starting points in the education reform documents. There are some good points there to use as dialogue to develop further refinement.

I have gotten some feedback from some partners in education on this document — some that agree with sections and some that don't; some that support some of the initiatives, but there are some initiatives in there that some organizations and indeed some First Nations feel very strongly about — and strongly don't agree with.

So I agree with the member opposite that we should use this as a starting point. We'll continue to do that. We'll continue to work with all our partners in education and orders of government as how best to address the common interest we have in education.

One of the original objectives of the education reform project was to identify what the common objectives of education were and are. When we send our children to school, how do we expect them to be changed by that process? What are the intended outcomes? We'll continue to work with all our partners to define that.

One of the best ways I've heard it described is, "We want to see educational excellence in a culturally appropriate setting." I've heard that definition not only from First Nation people, but from people of different faiths and different linguistic backgrounds. Many of the things we want to see — well, many we already have the power to do — many are initiatives that the Department of Education is working on.

I should not be surprised, but sometimes I'm lobbied by individuals, usually rather forcefully, to do or to start something that the Department of Education is already doing.

Recently there was significant lobbying going on about doing more for early childhood literacy, but it was obvious that the person who was asking for that was not aware of the Wilson Reading program or the Reading Recovery program. There is an important need out there in our community to provide more information about what the system is doing and what the system can do.

I've shared information with the members opposite — whether it is curriculum materials — and I would be happy to send over other information as it becomes available, to give them a better understanding of what is going on in our education system. We did see the release of the Department of Education's annual report. We do that on a yearly basis. I'm con-

stantly amazed by people asking for the Department of Education to do initiatives that are highlighted in that report.

Over the course of the last year and a half when I have been confronted by that, we in the government certainly recognized there was a need to provide additional information to people about what the Department of Education is doing. We responded to that.

Last week was Education Week, where there was an invitation for people to come out to different schools, to different events. There was a literacy forum last week, where we could discuss different literacy initiatives. There were ads in the newspaper and on the radio, inviting people to come to literacy and education events.

As well, last week we had the opening of the Tantalus School in Carmacks and invited the whole community in to find out about the programs, the offerings, and the difference in our education system from when other people went to school to today.

One of the other initiatives that I directed the department to undertake in the last year and a half was to come out with a highlights report to identify those initiatives — the results were indicated in the annual report — and to find a way to get that out into more Yukoners' hands so that more people could be aware of what was really going on in education.

That is a document that the Department of Education created based on the annual report that was tabled in this Assembly. I think it is a great tool for informing Yukoners as to what is really going on in our education system today.

Mr. Chair, we'll continue to work with Yukoners and to work with orders of government and all our partners in identifying the needs of our system, the best way to teach it, the best way to measure it. We'll work to continue to inform Yukoners as to the outcomes of our education system and what it is doing right.

Mr. Fairclough: The minister took 20 minutes to attempt to answer the question but he didn't even come close. As a matter of fact there was 20 minutes of finding all kinds of ways to avoid answering the question. There are reasons why: maybe he forgot the question — that could be one of them, that could be it, Mr. Chair. I think the real reason is that the minister does have a difference of opinion from his boss, the Premier. We'll leave it at that.

There is one thing that I wanted to read into because the minister or the Premier keeps talking about how they will not devolve any authority to any lower body or anyone else. I just wanted to bring to the minister's attention the dictionary definition of the word "devolve". It is "to transfer or delegate a duty or responsibility to or upon another."

Okay, I'm going to give the minister a challenge here and see if the minister will live up to this challenge. I am going to challenge him to try to provide an answer that is less than 20 minutes long, to see if we can speed things up. Let's not fall into the old Yukon Party ways of trying to waste time in this House. That is not what the minister wants to do, so why do it?

Some Hon. Member: (Inaudible)

Point of order

Chair: Mr. Cathers, on a point of order.

Hon. Mr. Cathers: Thank you, Mr. Chair. The Member for Mayo-Tatchun just stood up and indicated that the Minister of Education is trying to waste time in the House. That is certainly imputing motive, and that is also not the motive of the Minister of Education.

I would ask you to have him temper his remarks.

Chair's ruling

Chair: On the point of order, the Chair feels there is no point of order. I would like to remind members, though, that no debate in this Assembly is a waste of time. All debate is relevant and it is pertinent.

Mr. Fairclough: My opinion is, if a question is asked, the minister should attempt to answer it, particularly in Committee of the Whole. This isn't Question Period. I know that the members opposite take 20 minutes to answer a question. What do you call it? We may call it something different from what the Chair believes in, but I want to ask a simple question. Here is a challenge to the member opposite.

This came as an issue from the community of Pelly Crossing and it is the whole issue of housing and the lack of housing for teachers in Pelly Crossing. Is the Education department addressing this with the Yukon Housing Corporation, and when are we going to get this issue of housing resolved?

Hon. Mr. Rouble: I'd like to share a word with the member opposite too, and that's "involve". That means to cause a person or thing to participate or share the experience or effect of a situation or activity. That is what this government wants to do. And we recognize what the word "governance" means: how do you involve people in the decision-making, in the intended outcomes and in setting the criteria of success?

And if we start to use some of those definitions, then, yes — we're currently working with Yukoners and we're committing to continue to work and expand how we work with Yukoners to involve them in education, to increase their awareness about the programs that are going on in our systems, to discuss the outcomes, and to look at the opportunities people have, based on education.

Many of us in here recognize the value and benefit of an education, but that also has to be communicated to other people — to the students in our schools, to our children, and to people in the community. And I know that the public education system has had, in the past, a very negative effect on people in some instances. And in some communities, there is not a positive regard for some of our educational systems, and we need to work to change that.

We need to work with all people to recognize the importance and the value of education. We certainly need to make it relevant. We'll do that by bringing people from the community into the school. We'll do that by creating early childhood readers — like the one I tabled in this Assembly — that show Yukoners, people in our community, doing Yukon things in our textbooks. We're trying to make that relevant.

I appreciate the member's question, this time focused on housing. I'll try to get to that. I have been trying to answer the member's questions. Education is not one of those easy yes-and-no types of things. There is usually a lot of background

that is involved or different perspectives that need to be looked at.

The issue of housing — Mr. Chair, I should add that, in addition to meeting with many of our partners in education, governments and organizations, one of the ones that I meet with on a regular basis is the Yukon Teachers Association, and I meet with the president of that organization on a fairly regular basis. Sometimes it is a formal meeting and other times it is an informal meeting. But it's always an opportunity for a good exchange of ideas and a good opportunity to raise issues and talk about how those issues are being addressed.

The issue of housing is one that has been raised regarding the community of Pelly Crossing but it has also been raised for other communities. The Department of Education will work in conjunction with other government departments, specifically the Yukon Housing Corporation — but we also have other government department, such as Health and Social Services, and Highways and Public Works, that also rely on Yukon Housing Corporation to provide housing in the community.

In the situation the member is referring to, I know that the Deputy Minister of Education spent a significant amount of time with Yukon Housing Corporation in a successful effort also involving the Department of Health to find accommodations. While on one hand I am a bit concerned that the deputy minister is spending time being a real estate agent, on the other hand I am very proud to see that that is the level of dedication and commitment of the Department of Education, that our deputy would go that extra mile to work with Health and Yukon Housing Corporation to address the situation. That is just another example of how the deputy minister, the assistant deputy minister and indeed the entire staff in the Department of Education are working and willing to work in order to address the situations that exist in the Yukon.

I will continue to work with the minister responsible for the Yukon Housing Corporation on addressing this. It was quite interesting today in one discussion that I had — because I had several discussions on housing — it was noted by increasing the Yukon Housing Corporation in order to provide housing for a teacher, we would be improving the quality of education which is quite unusual, if you look at it. We weren't saying we need to increase Education's budget to increase quality of education; it was that we needed to increase the budget for Yukon Housing Corporation so that we can cause an increase in the quality of education.

It was very interesting to see other people come to that realization that making decisions in government often involve a multi-departmental approach in addressing the situation.

We will continue to work with the Yukon Housing Corporation, with Health and Social Services and with other partners, because we need to look at how to expand the provision of rental accommodations. We should start to look at other opportunities that we have in our communities for providing rental opportunities.

I would suggest — and this does need to be fleshed out a little bit further — that we should look at working with the First Nations, who also have housing. I know in some communities it's pushed to the limit, but there might be an opportunity

for the government to work with another landlord to provide accommodations. I recognize there is a growing concern among teachers; it's a growing concern in Yukon's rural communities and it's a concern of teachers when they move to our jurisdiction.

I know I've talked for probably a little bit longer on this than the member would like, but I thought it would be important to fully address this issue and tell him that we are indeed working on it. It is being worked on at the highest level. We are continuing to see successes; we're continuing to look at new ideas and we're continuing to work to address the situation.

Mr. Fairclough: Well, action needs to be taken now. I wouldn't bring this issue up if it weren't important.

Let's have an example here. How would that minister feel — the Minister of Education — if he were told that he should double up in housing, say with the Minister of Energy, Mines and Resources, when they deal with their work here?

I don't think the minister would like that at all — maybe the Minister of Energy, Mines and Resources would — but that is what is being told to the teachers right now, "Double up in a house."

And this is a big concern. They're being told to double up. "Can you share accommodations?" Some people like their privacy. They don't want that to happen. That's why I asked the question. Things need to happen now. When construction season disappears, we're going to end up with the same problem again down the road.

I would like to ask a question about professional development. The way it works right now, we have short professional development workshops for the teachers. I know we did go through, at one time, having a long-term program available for teachers, and this is stretched over a couple of years for the teachers involved. I don't believe we have that now.

I'd just like to know whether or not the Department of Education is interested in engaging again in these long-term programs. I know that many of the teachers do prefer it and would not be taking any professional development if it were offered Outside. But because it has been offered here, and some of them have gone through these long-term programs, it would be very beneficial to them.

Hon. Mr. Rouble: It's not my intention to personalize debate here — talking about specific members — but if the Minister of Energy, Mines and Resources is looking for a roommate, I think it might be a great opportunity. I know that it would certainly not be a quiet and contemplative environment, but would probably be one full of excitement, enthusiasm and boundless energy. As we both see eye to eye on many issues, I would not have to worry about things being kept in the high cupboards.

I do recognize the importance of the issue that the member is raising, and I will assure him that the government is taking that seriously, that the deputy minister is actively working on that, and that we will be working with other departments in the government in order to address this situation.

Mr. Chair, this budget includes \$362,000 for professional development. It goes into a fund that I believe is administered by the Yukon Teachers Association and can be used for short-

medium- or long-term educational opportunities. We have approximately \$250,000 for professional development within the department, and yes, the member opposite is correct — some of that is done in short in-services, and some is done in Whitehorse or in other communities where a collection of teachers or administrators is brought together in order to teach a group of people.

As well, we are looking at video conferencing, either through Yukon College or through the Department of Education, courses and professional development.

As well, with the advent of high-speed Internet access in over 95 percent of Yukon homes and high-speed Internet available in our Yukon schools, many people have the opportunity for on-line education. I know that it is possible these days to do a university degree or a post-graduate degree from Yukon with only a couple of trips Outside for face-to-face teaching opportunities. There are opportunities — I believe members in this Assembly have availed themselves of distance education.

Video conferencing is also being used and really warmly embraced in many of our communities. I know that, for example, in Old Crow, video conferencing is allowing people to take advantage of more courses. As well, they may only need to take a half-day away from the classroom to do a half-day course as opposed to what could sometimes be four days when including travel time to come to Whitehorse, and then go back in order to take those same types of courses.

As well, over the longer term, there are opportunities for teachers and others to take educational leave so that they can continue their education on more of a full-time basis. When we're talking to teachers about lifelong learning, they are usually the first to embrace the concept. Teachers recognize the value of learning and they see the benefit of it every day. I know that it is embraced. It makes our educators better, which makes the learning environment better, which causes increases in the outcomes of our students.

Just from my own background, I know that I fully support education and lifelong learning. I have demonstrated that myself from going to college in Ontario, to continuing through the B.C. provincial instructors diploma at Yukon College to doing a master's program from Royal Roads to continuing it and supplementing it with other things like the coaching certification program.

It's important that we all recognize that there is more to know and more to learn, and that we embrace those opportunities — whether it's taking a course here in Whitehorse at Yukon College or using technology to take a distance course from an Outside institution.

We do embrace education, of course — it's the Department of Education — and we provide opportunities for educators to continue on the path of lifelong learning.

Mr. Fairclough: Okay, I had with me — and I don't have it right now — but I do have an example to share with the minister. I'll bring that in another day and perhaps address this issue again.

I would like to know about the school vans that the department has. Recently we have seen incidents where they have been in accidents. I would just want to know what the depart-

ment is doing in regard to that. Are they safe or are they being replaced?

Hon. Mr. Rouble: I am very cautious in saying this, but there have been no accidents — that I am aware of — with our school vans. However, the government has been very proactive in this area. We recognize that student safety and the safety of our teachers is our number one priority.

In 2004, a new policy was established in the department that required that the 15-passenger vans undergo a number of modifications to improve their safe operation. The cargo capacity was reduced from 15 to 11 people, including the driver. There was a requirement to remove the rear seat to ensure that this area of the bus is kept free of goods and equipment, in order to maintain a lower centre of gravity. There were policy changes to prevent towing a trailer, I believe, and other steps to increase the safe operation.

It should be noted it was only Government of Yukon employees who are permitted to drive these vehicles and, even then, only those with the appropriate licence.

Also, we have recognized that, as we go forward with replacing these vehicles, they should be replaced with a different variety of vehicle. While Transport Canada has not said that these vehicles are unsafe, we are diligently looking at what is the best alternative, and the department has been purchasing the larger, 21-passenger, type of airport vans.

We've changed the vehicles; we are taking steps to change those as the vehicles age — I believe there are funds in this budget for the replacement. The Member for Mount Lorne says \$305,000. I am gratified to hear that members have read ahead and have studied the budget vigorously and that many know the answers to the questions before I get up to say them.

As well, Mr. Speaker, we are taking steps to ensure that the drivers of course have the appropriate licence and that vehicles are properly equipped with snow tires to operate in Yukon driving conditions.

Mr. Fairclough: I do have more questions for the minister, and I thank him for his answers. I am going to be passing over the questioning to the third party. I thank the minister for his answers.

Mr. Cardiff: It's great to finally enter the debate. I know it's getting late. I would like to try to see if we can move the debate along a little bit.

I would like to start on a positive note, I hope, in order to prove that I was listening to the last three hours plus.

One of the things the minister talked about — and I, too, have lots of questions — I'm sure much to the chagrin of the Official Opposition House Leader, but we'll work that one out later. I had some questions around the implementation and the timelines for the education reform project.

The minister — and he can correct me if I'm wrong — basically said there was a new project called "New Horizons". It's co-chaired by the deputy minister and I believe someone from the Council of Yukon First Nations. They are working on the implementation plan for the education reform report and they have had meetings with the Council of Yukon First Nations and with some First Nation governments. I would be interested to know from the minister how many First Nation gov-

ernments. Hopefully, we're going to cover off all of the First Nation governments in these meetings. They have made presentations to the Yukon Teachers Association executive, to the secondary school planning group, as well as to the Yukon school councils conference.

My first question for the minister — if he can clarify if the points I've made are right and maybe tell me how many First Nation governments had meetings — I was wondering whether or not he would be willing to extend an invitation to the New Horizons project team — the deputy minister and the person from Council of Yukon First Nations — to make a presentation to the New Democratic caucus.

Hon. Mr. Rouble: Yes, I think most of the information put out by the Member for Mount Lorne was indeed on track. The final report was received by the co-chairs of the education reform project. We received sign-off — the team was happy they had made the changes they wanted to see made, that the "draft" should indeed be released. It then went to the printers, and we presented it to the Council of Yukon First Nations leadership. That same day, it was presented to the Yukon government.

The Council of Yukon First Nations passed a motion to release the document. It was either the next day or the day after that that it was released publicly. There was a press conference held at the Department of Education. There was an initial meeting with all stakeholders, and people who had expressed an interest in the education reform process were invited. I provided a copy to them to take a look at.

There was a meeting that had been scheduled. Unfortunately we were stymied a bit this year by some very cold weather and some other factors that were beyond our control. As well, some of our partners in the process expressed a desire to have more time to review it. As members can appreciate, it is quite a thick document that does need a lot of going over.

We recognized a need to go forward both from the Council of Yukon First Nations perspective and from the government perspective. We recognize the benefit of working together on this process and the chair of the Chiefs Committee on Education and I committed to working together to continue the process.

One of the things that we found in this project was that it wasn't so much about changing specific activities as it was changing a process of how we did things and about creating relationships. We are continuing on with the new process, New Horizons, which is building on the education reform document. For some specifics for the member, on March 27, the co-chairs in New Horizons — which include the education technician from the Council of Yukon First Nations and the Deputy Minister of Education — they jointly presented to the Council of Yukon First Nations leadership.

At that time, or on or about that date, there was an invitation extended to all First Nation chiefs for community council presentations and that would be a joint presentation of the two co-chairs — so a joint presentation by the Department of Education and the Council of Yukon First Nations representative.

We recognize that in the document there are recommendations for both Government of Yukon and First Nation govern-

ments to make changes. I think there was a bit of apprehension in some circles that here was a perceived government document providing recommendations to how First Nation governments should approach things — we did need to constantly remind in this Assembly that this was a joint Council of Yukon First Nations/YTG project and that it had been done in partnership.

There was a meeting on April 4 with the Carcross-Tagish First Nation. There was a meeting in April with the Yukon Teachers Association executive committee and with the secondary school planning committee. The secondary school planning committee is a project set up to review high school planning and high school opportunities, looking toward the replacement or revitalization or renewal of F.H. Collins Secondary School.

It includes a wide variety of representation of school councils, school administrators, teachers and concerned parents. I believe there are representatives from the Youth Achievement Centre, F.H. Collins Secondary School, Skills Canada, First Nations, Health and Social Services, the Learning Disabilities Association of Yukon, the Whitehorse Chamber of Commerce, the Yukon Chamber of Commerce, the Youth of Today Society, and the Teen Parent Centre. I can't say if all of these people were at that meeting, but —

Chair: Order please. Seeing the time, the Chair will rise and report progress.

Speaker resumes the Chair

Speaker: I will now call the House to order. May the House have a report from the Chair of Committee of the Whole?

Chair's report

Mr. Nordick: Committee of the Whole has considered Bill No. 11, *First Appropriation Act, 2008-09*, and directed me to report progress.

Speaker: You have heard the report of the Chair of Committee of the Whole. Are you agreed?

Some Hon. Members: Agreed.

Speaker: I declare the report carried. The time being 5:30 p.m., this House now stands adjourned until 1:00 p.m. on Monday.

The House adjourned at 5:31 p.m.