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Standing Committee on Social Policy

Strengthening Accountability
and Student Supports Act, 2024

1st Session
43rd Parliament

Tuesday 23 April 2024

Comité permanent de la politique sociale

Loi de 2024 pour renforcer
la responsabilisation
et les mesures de soutien
aux étudiants

1^{re} session
43^e législature

Mardi 23 avril 2024

Chair: Steve Clark
Clerk: Lesley Flores

Président : Steve Clark
Greffière : Lesley Flores

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CONTENTS

Tuesday 23 April 2024

Committee business.....	SP-1095
Strengthening Accountability and Student Supports Act, 2024, Bill 166, Ms. Dunlop / Loi de 2024 pour renforcer la responsabilisation et les mesures de soutien aux étudiants, projet de loi 166, Mme Dunlop.....	SP-1095

LEGISLATIVE ASSEMBLY OF ONTARIO

ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

**STANDING COMMITTEE ON
SOCIAL POLICY**

**COMITÉ PERMANENT DE
LA POLITIQUE SOCIALE**

Tuesday 23 April 2024

Mardi 23 avril 2024

The committee met at 0903 in committee room 2.

The Chair (Mr. Steve Clark): Good morning, everyone. The Standing Committee on Social Policy will now come to order. We're here to conduct clause-by-clause consideration of Bill 166, An Act to amend the Ministry of Training, Colleges and Universities Act.

We're joined today by our staff from Hansard and also by Catherine Oh, from the Office of the Legislative Counsel, to assist us in our work and our deliberations in case we have any questions.

The proposed amendments that have been filed with the Clerk have been distributed to members both electronically and in hard copy.

Are there any questions before we proceed?

COMMITTEE BUSINESS

The Chair (Mr. Steve Clark): MPP Pierre, you've indicated you want to speak.

Ms. Natalie Pierre: Yes, thanks. I move that the committee meet on Thursday, April 25, 2024, at 1 p.m. for the purpose of committee business.

The Chair (Mr. Steve Clark): Discussion? Vice-Chair Gélinas, go ahead.

M^{me} France Gélinas: This will be really difficult for me on Thursday at 1 o'clock. You remember I broke my wrist, and I don't want to go into any details, but I won't be able to be there Thursday at 1, and I'm on the committee. I was wondering, would it be possible to do this that morning instead?

The Chair (Mr. Steve Clark): Ms. Pierre?

Ms. Natalie Pierre: I think we move forward at 1 p.m. I don't think it's possible for us to change our schedules for the morning.

The Chair (Mr. Steve Clark): All right. Any other discussion? No? Seeing none—

Ms. Aislinn Clancy: Can we ask why? Is it fair to ask why?

Ms. Natalie Pierre: To schedule committee business.

Ms. Aislinn Clancy: You're just rescheduling—I'm just curious—

The Chair (Mr. Steve Clark): I'm not going to speak to the motion, but I believe the technical reason is because the committee is seized with meeting on Mondays and Tuesdays. So I believe we need to decide as a committee if we're going to meet outside of that normal committee

schedule. So, for us to—I couldn't just call a meeting on Thursday without consensus from the—

Ms. Aislinn Clancy: But this is in addition to today?

Ms. Natalie Pierre: Yes.

Ms. Aislinn Clancy: Okay. Sorry.

The Chair (Mr. Steve Clark): MPP Gélinas?

M^{me} France Gélinas: Could we do this after the meeting today rather than on Thursday?

Ms. Natalie Pierre: I understand that we're potentially going until midnight tonight. Is that correct? And so, I think taking it later than midnight, if the day proceeds that long, would—

M^{me} France Gélinas: So, let's say we finish before 6. Is it okay to do it today?

The Chair (Mr. Steve Clark): It's really up to the committee. So if you want to deal with this motion now and then decide at a later time today that you want to debate another motion, that's really up to the committee.

We've got a motion on the floor for Thursday, April 25, at 1 o'clock, and we'll allow the mover to respond. Do you have any response? No? Okay.

Are the members ready to vote?

M^{me} France Gélinas: Recorded vote.

Ayes

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

Nays

Gélinas, Sattler.

The Chair (Mr. Steve Clark): Motion carried.

STRENGTHENING ACCOUNTABILITY
AND STUDENT SUPPORTS ACT, 2024

LOI DE 2024 POUR RENFORCER
LA RESPONSABILISATION
ET LES MESURES DE SOUTIEN
AUX ÉTUDIANTS

Consideration of the following bill:

Bill 166, An Act to amend the Ministry of Training, Colleges and Universities Act / Projet de loi 166, Loi modifiant la Loi sur le ministère de la Formation et des Collèges et Universités.

The Chair (Mr. Steve Clark): Before we move into clause-by-clause consideration of Bill 166, I will allow members of the committee to speak to the bill as a whole. After the debate on the bill, we're going to try to limit the specific discussion under each item, but as always, please wait to be recognized by the Chair. All questions and comments should come through me.

Committee members, pursuant to standing order 83, are there any brief comments or questions on Bill 166 before we proceed? MPP Sattler.

Ms. Peggy Sattler: Yes. Thank you very much, Chair, for this opportunity to provide some reflections on what we heard over the last couple of days of public input on the bill, as well as the written submissions that were provided to this committee with feedback on the legislation that is before us.

I think that, certainly, what we heard in those presentations that were made in person, as well as the written submission, is really a strong recognition of the urgency of increasing mental health supports for students on campus. We heard about the increased mental health needs of students. We heard about incredibly long waits, months-long waits, for maybe a one-time 15-minute appointment with a counsellor on campus for students who are in mental health distress, which is really failing post-secondary students who are struggling on our college and university campuses.

We also heard about the need for colleges and universities to improve their responses to students who have experienced incidents of racism or hate on campus. Some students who had been targeted by scurrilous anti-Semitic remarks shared their experience of not having their reports taken seriously and addressed by the campuses at which they attended, and this is unacceptable. I think that there is shared consensus that we need to make sure that our post-secondary campuses are safe and welcoming for all students.

Unfortunately, however, what we also heard very strongly were questions—legitimate questions—about whether this bill is going to do anything to improve mental health supports for students on campus or whether it's going to do anything to assist our colleges and universities in responding to increased incidents of racism and hate on campus.

Many of the presenters who came before this committee talked about the importance of ensuring that mental health supports are culturally responsive, that they are informed by the experience of marginalized and racialized student communities, who tend to be the most affected by mental health pressures, the most vulnerable to mental health pressures, the most vulnerable to racism and hate on campus.

0910

One of the presentations that really caught my attention was the McMaster Students Union, who talked about the success and the effectiveness of the Black Student Success Centre in supporting Black racialized students on campus. The Mac student union pointed to the Black Student Success Centre as a model that the province should be

looking at replicating at our campuses. But this bill doesn't make any reference to the kinds of culturally responsive supports that are required to address students' mental health needs. It doesn't make any reference to consultation with marginalized students or with any students, with any faculty, with any staff—the staff who, at our colleges and universities, deliver mental health supports for students.

We also heard from Colleges Ontario, from OCUFA, who represents faculty at our Ontario universities. We heard from OPSEU, who represents faculty and staff at our college sector. We heard from the Council of Ontario Universities that these policies already exist on almost all, if not all, campuses in this province. So there were questions about whether this bill is an unnecessary duplication of the policies that are already in place on our campuses and whether we should instead be looking at how to strengthen existing policies and how to improve the supports for students who are experiencing a mental health crisis or have been targeted by racism and hate, and whether imposing new administrative requirements on colleges and universities is an appropriate way to deal with these issues that we heard about.

In addition to that, it's not only whether it's an appropriate way, but is it also an overreach when the government decides to enable, to empower, the minister to issue ministerial directives about the content of these new mental health policies and hate and racism policies that will now be mandated by this bill, if the bill passes?

The other thing that struck me was the number of deputants who really emphasized the importance of consultation, and that is consultation with the sector; more broadly, with Colleges Ontario, with the Council of Ontario Universities, with OPSEU, with OCUFA, with student organizations—OUSA, the College Student Alliance and others. But there is a sector consultation that is necessary prior to the development of legislation that is going to have such an immediate and direct impact on the sector. Unfortunately, what we heard from the organizations who came here was that no sector consultation had taken place. There were some ad hoc, I think, anecdotal experiences that were reported to the minister and the PA, and apparently that is how we came to the legislation that is before us today. That is not a good process, Chair, when you are developing legislation that is going to have such a significant impact on our post-secondary sector here in Ontario.

In addition to that sector consultation, we also heard repeatedly about the importance of involving campus communities: the students, the faculty, the staff, the local communities who are going to be also most directly affected by the requirements of this bill. This bill makes no reference whatsoever to any need to consult with students, faculty and staff on the individual campuses of the 24 colleges and the 23 universities that will be required to implement the policies that are under Bill 166.

Several deputants appeared before the committee and referenced the contrast between this legislation and the previous legislation that required sexual violence and harassment policies on campus. The sexual violence and

harassment policy process was highlighted as a model of how policy can be developed and implemented successfully on campus because it involved widespread engagement by the faculty, staff, students and communities that were going to be immediately touched by the policy. Again, the word “consultation” doesn’t appear in this bill. We see no requirement in the legislation to ensure that that widespread consultation takes place.

I mentioned before the concerns about the unprecedented power that this bill gives to the minister to dictate the content of policies, to specify the topics and the elements that have to be included in the policies without any feedback from those who will be affected by the policy. One of the concerns that several deputations raised was about the fact that the bill is silent on what kinds of consequences are going to be imposed on institutions that do not comply with these ministerial directives on the content of policies or what kinds of penalties will be imposed on institutions if the minister determines that their policy doesn’t align with the topics and the elements that the minister has decided need to be included in the policies. That is a significant concern when the legislation doesn’t provide any kind of specificity about the penalties that will be imposed for non-compliance.

We also heard about the conflict that is reflected by this legislation with Ontario’s universities act—or university acts, because each university in this province is established by legislation with its own act. Those acts are important because they ensure that universities are self-governing. They ensure that universities are autonomous and independent bodies that are governed through a board of governors that involves local representation, as well as a senate. This is a long-standing principle in democratic societies, and several of the presenters mentioned that creating a university system that is independent from political interference, from the government, is a fundamental safeguard to ensure that our universities have the academic freedom to conduct academic research on issues that are determined to be of value and free from the political direction of the government.

Several of the presenters mentioned the real concern that academic freedom could be stifled by this legislation and that the independence and integrity of academic research that takes place at our institutions of higher learning could be undermined. But there is a legislative framework for universities, as I said, that creates them as independent, self-governing bodies.

0920

But it’s not just an issue for universities. We heard from OPSEU, for example, which represents college faculty and staff in Ontario’s 24 public colleges, that this overreach through imposing policy through ministerial directives is a very real infringement on the institutional autonomy of colleges. In such a way, it’s counterproductive because it undermines the ability of colleges to innovate, to be responsive to the realities of the local communities in which they reside, and to develop and implement policies that best speak to their students, their faculty, their staff and their communities.

Some of the other concerns we heard about—I’m going to talk specifically about the two policies that we heard the most input on. There are three policies required by this legislation: a policy on student mental health, a policy on racism and hate, and a policy on fee transparency. The third policy was mentioned by some of our presenters, but certainly the bulk of the presentations that we heard focused on those first two policies: the policy on student mental health and that on racism and hate.

I have to say, speaking personally, I found the presentation from the Centre for Innovation in Campus Mental Health particularly compelling because that is an institution that works with the sector. It’s a unique partnership between Colleges Ontario, the Council of Ontario Universities, College Student Alliance, OUSA—the Ontario Undergraduate Student Alliance—as well as the Canadian Mental Health Association. They have knowledge and expertise and in-depth experience working in our post-secondary sector, across the 47 campuses that exist in this province, so their input, to me, has to be taken very seriously. It has to be listened to by members in this Legislature.

They flagged the fact that three quarters of students in our post-secondary institutions are experiencing negative mental health in their studies. They talked about the rising mental health needs of students across the province. We should listen carefully to the Centre for Innovation in Campus Mental Health because what they said is that the concerns that they are hearing from students and the issues that they see facing campuses across Ontario are not related to a lack of mental health policies in our college and university campuses. In fact, they said, as I said at the beginning, they recognize that most, if not all, institutions in this province already have robust mental health policies in place.

I’m going to quote from their written submission because I think it’s important that we keep this in mind. They said, “The issue is the acute need for stable and ongoing funding for the work that must be done to put policies into action.” They raise the concern that the creation of mental health policies based on red tape requirements, as reflected in this bill, with no funding will consume resources and will provide no real value to campus well-being.

The Centre for Innovation in Campus Mental Health also cited the recent study from the Higher Education Quality Council of Ontario that was commissioned by the Minister of Colleges and Universities to conduct a review of mental health policies across the sector. It was a very helpful review. I found the report, myself, was very useful when I was preparing to speak to this bill, when it came before the Legislature.

But the Higher Education Quality Council of Ontario also raised concerns that the mental health pressures that campuses are experiencing are not because of a lack of mental health policies. In many cases, it’s not because of a lack of mental health services. It is because of a lack of funding to support those services. It is a lack of staff to deliver those services.

In the presentation from the Centre for Innovation in Campus Mental Health, they quoted from the HEQCO report that highlighted the “structural and systemic forces” that “make it challenging for institutions to implement programs, hire staff and plan comprehensively for the long term.”

The challenges that institutions are experiencing include short spending periods and one-time competitive grants, all of which create barriers to implementing effective and sustainable strategies to enhance student mental health. They also create barriers to institutions in retaining the staff to deliver these services, because, as we know, campus mental health services are delivered by staff. And in many cases, campuses are reporting that they don’t have the necessary trained staff to deal with the complexity of the mental health stresses that students are experiencing.

In OPSEU’s written submission, they pointed out that, across the sector, the number of full-time counsellors at our 24 Ontario colleges has actually decreased since 2018-19, when this government took office, to the most recent data they had, which was from 2021-22. There are 5% fewer full-time counsellors at Ontario’s college campuses than there were when this government took office, which really flies in the face of what we’ve heard repeatedly from this government, that they’re investing in campus mental health services, because they’re not. If they were investing, we wouldn’t see reports like HEQCO’s, which gathered qualitative data, which interviewed staff on our college and university campuses who are involved in the delivery of mental health services, who talked about: “How can you deliver services when you don’t have the staff in place to do that?” OPSEU’s data really confirms that our campuses are hard-pressed to staff the services appropriately as the mental health needs of students are increasing.

One of the first recommendations of the Centre for Innovation in Campus Mental Health was to increase long-term and stable government funding for student mental health supports, particularly at a time when post-secondary institutions are facing significant financial instability and are being asked to drive efficiencies.

Their second recommendation: Help fund the current initiatives and student services that are in place to address hate speech, harassment and discrimination. That was something we heard repeatedly from so many of the deputants who came to committee, that if we truly want to support students who are experiencing mental health distress, if we truly want to equip our college and university campuses to respond appropriately to reports of incidents of hate and racism on campus, then we have to fund our colleges and universities. And many of the deputants questioned the need for this legislation, as I mentioned earlier, because these policies already exist generally across the sector. So they questioned the need for this bill at all and said that a much better approach would be to provide the funding that the sector desperately needs, and we know that.

0930

The minister, in her comments when she appeared before this committee, talked about what the government has done to address the sustainability of the post-secondary sector, to address the financial crisis that colleges and universities are experiencing in the province. What she didn’t say is that the funding that the government announced alongside this bill was only half of what the sector had said was needed in permanent base funding. The sector said \$2.5 billion is needed in permanent base funding. What the government came up with was just \$1.3 billion in a three-year limited grant. It is not an increase by any means to the base funding that our institutions desperately need.

On the issue of student mental health, the government’s funding announcement—that \$1.3 billion—allocated just \$8 million to the Postsecondary Mental Health Action Plan. When asked about the adequacy of an \$8-million investment in the Postsecondary Mental Health Action Plan over the next three years—which equates to \$2.7 million per year, which equates to just \$57,000 per institution when you look at the 47 institutions that we have in this province—deputants were asked, is that sufficient to provide the direct student mental health supports that students in this province are crying for? I don’t think there was a single deputant who said, “Yes, that’s sufficient. That is great. That will really help us get on top of the mental health crisis that we are seeing on our campuses.”

The need for investments was highlighted by the Centre for Innovation in Campus Mental Health and many, many, many of the deputants—certainly Colleges Ontario, who pointed out that our college sector is funded at just 44% of the average of other Canadian provinces. They highlighted the need for that stable, permanent increase in base funding. The Council of Ontario Universities highlighted the need for that increase in permanent base funding as was recommended by the government’s own blue-ribbon panel. But this bill, which was accompanied by a funding announcement, has failed to provide that permanent increase, and not only that, but as I mentioned, included just an additional \$8 million for the Postsecondary Mental Health Action Plan, which is where those direct supports for students would be funded.

I now want to take some time to reflect on what we heard on the racism and hate—

The Chair (Mr. Steve Clark): I hate to interrupt you, MPP Sattler. You’re fastly approaching the 20-minute mark where we like to keep our comments reserved to. I just wanted to give you that time check.

Ms. Peggy Sattler: Okay. Thank you, Chair. I do appreciate that.

But on the requirement for racism and hate policies on campus, we heard a lot of feedback about that policy requirement. We heard many concerns raised about a possible conflict between the policy that will be dictated by the minister, determined by the government, and the Ontario Human Rights Code as well as the Charter of Rights and Freedoms. We heard about the potential threat

to freedom of speech when government defines what constitutes racism or hate without any of that consultation that would be necessary prior to determining policy.

We heard very shocking and emotional testimony from students who had experienced racism and hate on campus. Hillel talked about the fact that they have seen nine times more incidents reported since October 7; NCCM talked about a 900% increase in Islamophobia and anti-Palestinian racism that has been reported on campus. So certainly there is a need to improve responses to racism and hate, but the majority of the deputants said that this bill is not the way to do that.

The Chair (Mr. Steve Clark): MPP Clancy?

Ms. Aislinn Clancy: Thank you very much, MPP Sattler, for getting things rolling.

I do have some concerns as well about the bill. What I think we can all agree on is that there's a massive concern about mental health issues that young people are facing in our schools and on campus. I know that we need more resources and more ability to serve those needs in a culturally responsive way, a trauma-informed way and a timely way. I know, as someone who supported young people facing suicidal ideation, that not everybody can wait. So I'm grateful that we've talked about the funding needs.

I do agree that when I go to campuses, they have long-standing service provision and policies, but we do need to consider increasing the staffing, because when I go to mental health clinics, a lot of my colleagues who are expert psychotherapists and so on, what they look for is permanent jobs and well-funded jobs. So we create a sort of rotation of people coming in and out, a turnover of mental health clinicians, when we don't have that stable, consistent funding and good-paid jobs.

I did want to echo as well my colleague's comments about OPSEU, that mental health clinicians have decreased by 5% since 2018. That's a concern, that we have a higher need and less service providers to deal with that need.

I also want to recognize that we are facing a big increase in anti-Semitism, Islamophobia and anti-Palestinian racism, especially since October 7. It was hard to hear the lived experiences of many students who have lived that on their campuses and about what they would like to see on their campuses so that staff are equipped, that there's people there and there's a process to address incidents of hate. I would like to see a proactive approach as well, and I think that speaks to the collaboration that seems to be missing from the policy in front of us today.

As someone who dealt with threats of violence on campus, I know that there's a lot we can do to root out the root causes of that—online rabbit holes, I'll call them. At the University of Waterloo, for example, we had a violent attack, and it was as a result of a student who was very isolated. There was a cultural lens that would have been helpful for this student. He was down a rabbit hole, fuelled by social media, and it acted out as a violent attack on campus. Unfortunately, because of the lack of resources and specialized staff, we aren't always equipped to address

any threats of violence. I see this in elementary schools as well when there are comments online. That's something that we really need to ensure is funded well and has a collaborative and consultative process to come about the policies and practices that take place on campus.

0940

I do apologize for my late submissions. I just joined your committee, so we're catching up a little bit. But most of the amendments that we contributed have to do with weaving consultation and transparency into what's being discussed in the bill. I think that we'd like to see the development of an advisory committee so that we can include all the voices, there's a documented process to ensure representation across different communities, that we are getting the perspective of campuses and so on.

I have a concern that this bill will butt up against other policies, like MPP Sattler shared. I think "the Court of Appeal underscored that the university acts 'make plain that universities are self-governing bodies'; thus, any exercise of 'third source' power that conflicts with universities' self-governance may be unlawful." We see that when we butt up against other policies, we open ourselves up to delays in actually getting to the work, conflict on whose lane it is and whose authority it is. So I do want to caution us on creating policies that butt up against other long-standing traditions in Canada.

I do want to echo Sporas, Suhaila Salah, who told us that both Jewish and Palestinian students on campus are experiencing persecution and name-calling, that they do want help to tackle racism, but they believe that reversing the cuts is paramount to having the resources to do that. The quote from her is that the best things this government could do to support student mental health and anti-racism would be, first, to immediately restore adequate funding to post-secondary institutions so they can invest in culturally responsive mental health supports and in their equity offices—offices that are qualified, ready and able to do this important work. And second, to use the powers of the Anti-Racism Act of 2017 to re-establish the Anti-Racism Directorate subcommittees on Islamophobia, anti-Semitism, anti-Black racism and anti-Indigenous racism, all of which the government disbanded.

I think we're playing a bit of catch-up on issues and cuts that happened in 2018, and we're experiencing the aftermath. Sometimes the impacts of some of these cuts take a while to fully show themselves.

While I agree with the intent of the bill, that we want to improve mental health on campus, we want to address the rise in hate, especially since October 7, we need to do it in a way that's collaborative and involves thorough consultation. I always say, "Not about us without us." I think that was the echo I heard from many of our delegates, is they weren't included in the process, and so the policy falls short. I think if we can measure twice and cut once, and that means taking a little extra time, ensuring all voices are shared, ensuring there are the resources to do the job properly, we'll come out better ahead.

I would like to see an increase of 10% in base funding for students. I think the quote I saw was that campuses

already spend \$1.3 billion on student services, and so we're just playing catch-up, trying to fund what they haven't been funded to do. I think we need to ensure that the staff we have for mental health services and addressing hate have stable jobs so they'll stick around and grow and encourage expertise.

And I do caution against the overreach of power. The word "directive": While I know it will address things in a timely manner, there is a massive concern that it will cause harm—be that unintended harm, but without the proper consultation, without ensuring that universities and colleges are funded and trusted to guide this process, I worry about the unintended consequences of directives, that we're lacking, really, understanding of what those directives would be, where those directives would come from. Without that information, without that transparency, I'm concerned about the negative impact it could have on our campuses, while well intended. So that's kind of the rationale behind the submissions, to echo the concerns from my community, from the 100,000 students that attend universities and colleges in the Waterloo region, echoing the voices of students, staff and faculty on campuses who really I think felt some frustration about not being included in the development of the bill and concern about what will happen as a result and the unintended impacts that this bill could have.

The Chair (Mr. Steve Clark): Further comments? Yes, MPP Gélinas.

M^{me} France Gélinas: Thank you. So, we all know that one of the biggest strengths of Ontario's economy is that we have an educated workforce. Where does this education come from? It comes from our colleges and universities. It comes from our post-secondary education and our education system as a whole.

The need for mental health within the population that attends our education system has increased by 75%. The need is there. Am I happy that the bill talks about mental health? Absolutely. Am I happy that the bill talks about anti-hate and anti-discrimination policies? Yes, absolutely.

But everybody will know that in order for a health policy to be effective, it has to be built on what we call a circle of care. It has to be built in a way that the people who need the services need to be consulted. They need to be part of this policy development. The people who will be offering this service have to be part. The people who manage our colleges, universities and post-secondary institutions all have to be part.

Unfortunately, although the bill talks about having mental health policies on each of the 47 campuses, which all 47 of them already have, it does not mention the basis as to how you achieve strong mental health policies that will deliver the type of services that are needed. If you look at the existing policies that are there in writing, available to us in the colleges and universities in our riding and all around, you will see that a lot of them have taken best practice into consideration to make sure that there is inclusion of many different voices in order to deliver those policies. But the bill does not do that. So it brings a lot of

anxiety and question as to, are we going to step backwards when it comes to access to mental health services that young people need, that people that attend education institutions need? That would be terribly wrong.

It wasn't that long ago that the discrimination against mental health, even in our province, was really, really strong. We've done great work as Ontarians to really decrease the discrimination that surrounds mental health, to make it acceptable for people to say, "I'm struggling with my mental health. I need care. I need access to services." And more and more people do this, and this is great because the earlier you can gain access to support, the better the treatment options and the better your outcome. All of this has started to happen in our university and college campuses and institutions. This is great.

So I hope that the government will be open to making some amendments to the bill to make sure that we don't lose those important steps that have been taken, that lead towards inclusion. I agree with what two previous speakers have said: A policy is but the first step. If you don't have the resources to fund those policies, to have health promotion, disease prevention, care options on campus, we will be no further ahead. But the idea is that if what will be mandated by law, by the bill, to happen takes away from what is already happening in policy development to be inclusive, then we're doing harm. With the goal of making things better, this bill could actually make things worse.

0950

We are at a moment in time, post-pandemic—I know nobody wants to hear about the pandemic. It's behind us. Let's hope it never comes forward again. But the reality is, the need for mental health services across our society exploded, and it had increased exponentially on our campuses as well. So let's be open to what everybody has asked.

You look at Ontario Student Voices, Ontario Tech Student Union, Ontario Undergraduate Student Alliance, the University Students' Council, the Ontario division of the Canadian Federation of Students, the Alma Mater Society of Queen's University, Conestoga Students, OPSEU, Centre for Innovation in Campus Mental Health, College Student Alliance—and I could go on. They all ask for a change to the bill to make sure that inclusion is there during the development of those policies. Please take that into account.

We all want the same goal. We all want the conditions for student success. We know that one of the conditions for student success is to support their mental health, to keep them as healthy as possible, and if they do find themselves in a situation where they need mental health support, that they do not hesitate to reach out, and that the services that they need will be in the language of their choice, will be culturally appropriate, will be trauma-informed and will be of high quality.

I agree that having policies is important. We already have those in our 47 post-secondary institutions. Let's take this opportunity of a bill to move things forward, not to create anxiety as to, are we going to be taking steps

backward? Because I can tell you that in the mental health sector, it is really hard to make a step forward but really easy to step back. This bill could open the door to major steps back.

None of us want this. We all want students to succeed. We all want those policies to be inclusive. We all want this bill to do what it intends to do: make things better. Let's not let this opportunity go by. Let's put partisanship aside. Let's make the bill as strong as possible from the start.

I'm proud of us. We are working to make things better for mental health for students. Ten years ago, it would have been really hard to even say those words in this place. We are here now. Let's make things better together.

The Chair (Mr. Steve Clark): Any other comments or questions on the bill? Seeing none, we'll now begin clause-by-clause consideration of Bill 166.

Since the majority of the bill is set out in the five sections, I propose that we stand down the preamble of the bill, postpone its consideration, and start with section 1. Do members agree with that proposal? Agreed? Okay.

We'll move on to section 1. Any comments on section 1? Yes, MPP Sattler.

Ms. Peggy Sattler: I just wanted to reinforce some of the concerns that I raised in my overall remarks. I think some very real questions were raised by Colleges Ontario, the Council of Ontario Universities, OCUFA, OPSEU, the Centre for Innovation in Campus Mental Health about the need for this legislation at all. We heard repeatedly that instead of repealing this subsection of the Ministry of Training, Colleges and Universities Act, instead of creating these new policy requirements for colleges and universities, the better approach would be to invest—invest in the mental health services that students need, invest in the equity and anti-racism initiatives that are already in place on our campuses.

I have some concerns about the choice that this government made to repeal this subsection of the bill and replace it with something that fails so directly to involve the students, the faculty, the staff, the sector in moving forward to effectively address student mental health needs and to equip institutions to respond more effectively to reports of incidents and hate on campus.

The Chair (Mr. Steve Clark): Any other comments on section 1? If none, I'll put the question. Are members ready to vote? Shall section 1 carry? All those opposed? Motion carried.

Section 2: We've got amendment 0.1, MPP Clancy.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by adding the following subsection to section 19 of the Ministry of Training, Colleges and Universities Act:

“Consultations

“(2.1) Every college or university described in subsection (1) shall establish a process for the provision and consideration of input from a diverse selection of mental health professionals and students and shall follow the process in developing the student mental health policy referred to in subsection (2) to ensure that the policy is compassionate, community-informed and inclusive of the

cultural and racial diversity of the community within the college or university.”

The Chair (Mr. Steve Clark): Discussion?

Ms. Aislinn Clancy: The concern that I think we heard echoed across the delegations was that student groups, unions, stakeholders, academics and staff on campus weren't consulted in the formation of that bill. The reason we've included this is because we feel that good process going forward in any development of policies related to colleges and universities ought to include and consult a vast range of stakeholders and student groups and demographics from the colleges and universities.

Ontario Student Voices said also that funding for mental health services and colleges is inadequate. The allocated \$23 million over three years, with only \$8 million for post-secondary mental health, doesn't adequately meet the growing needs of students. We urge the government to increase direct base mental health funding for college post-secondary students. These are key stakeholders, and that's why we believe the consultation would have resulted in a different outcome.

The Chair (Mr. Steve Clark): Any other discussion? MPP Sattler.

Ms. Peggy Sattler: I'm happy to support this amendment. I think that it speaks to the input that we received during the delegations that appeared before this committee, and in the written submissions as well.

Many of the deputants talked about the need to have specialized expertise in developing student mental health policies, and this amendment would enable mental health professionals to be involved in providing input on the mental health policy that is required by this bill.

Again, going back to my earlier remarks about the process that is outlined in this bill where there is a ministerial directive that specifies the topics of student mental health policy, the elements of a mental health policy, there's nothing in this bill that says the minister is going to consult with mental health professionals before the ministerial directive is issued. There's nothing in the policy that says that universities and colleges would be required to consult with mental health professionals in the development of their policies.

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This amendment is very reasonable in light of what we heard. It also reflects what the students told us: the students from OUSA, the Ontario Undergraduate Student Alliance; the College Student Alliance; the student organizations from various campuses. We heard from Conestoga; we heard from Queen's; we heard from McMaster; we heard from Ontario Tech; we heard from Western. All of those students talked about the essential need to engage with students when you're developing policy that's going to affect students. So I think that this amendment is important for those reasons.

I also agree that the policy that is implemented on our college and university campuses has to be compassionate, has to be community-informed. One of the issues that was highlighted by several of the organizations that appeared before the committee is the lack of community resources.

There is very uneven access to community mental health supports depending on where you live in Ontario. We have 47 different campuses in this province that are located in many, many different communities, and all of those communities have different realities in terms of the availability of mental health supports. All of those communities have different demographics, different populations that they serve. It is important to take that into account when policies are developed, that the racial and cultural diversity of the communities in which campuses are located has to be sought and incorporated into a policy.

The Chair (Mr. Steve Clark): Further debate? MPP Pierre.

Ms. Natalie Pierre: I just wanted to reiterate that there were consultations done across the province with colleges, universities, CICMH, students and student groups, both virtual consultations and in-person consultations as well. We did actually engage with students, faculty members, administrators and professionals in the student mental health area. I also just wanted to add that the ministry would work with the sector to create directives.

The Chair (Mr. Steve Clark): Any further debate? MPP Clancy.

Ms. Aislinn Clancy: I would just love, going forward—in my city council role, I got a document that told me the process and all the different—“We met with these many people, this many sessions.” I think it just creates a lot of transparency when we get to learn about the process that went into this. I’ve heard that you spent a lot of time talking to students and I’m grateful for that, and I know that this came from that. But I think in order for us to rely on that and critique it and make sure it’s fulsome and who was missing and who wasn’t and all that jazz, it would be helpful going forward to have a report, so we understand all the information, all the stakeholders that were involved in the development of the bill. Because when we did pose that to the student union groups and to the other groups, we didn’t get that feedback. That will be helpful going forward.

I just want to say that the reason I put this in there is because we have to be careful about unconscious bias. That’s why the wide representation of different groups is so essential because, as a white person, I have an unconscious bias; as a Christian-raised Unitarian, I have an unconscious bias. It’s really essential that we make sure we constantly challenge our unconscious bias, and the way we do that is talking to people with lived experience and experts in the field.

The Chair (Mr. Steve Clark): Further debate?

Ms. Peggy Sattler: I just wanted to comment on what we just heard from MPP Pierre. I’m accepting what MPP Pierre has said, that there were consultations. What concerns me is that COU didn’t realize, I guess, that they were being consulted. Colleges Ontario did not recognize that there had been a consultation. OPSEU had not recognized that there had been a consultation. OCUFA did not recognize that there had been a consultation. OUSA, CSA—none of the sector organizations that appeared before this committee told us that consultation had taken

place. So if the ministry is going to engage with the sector on a consultation process, they should let the sector know that that’s what they are doing, because we heard very clearly from the sector that there was no consultation.

And the other concern I have about MPP Pierre’s comments is the assurance that the minister will consult with the sector prior to issuing a directive, because that’s not what this legislation says. This legislation is absolutely silent on any kind of consultation with the sector prior to a ministerial directive.

The Chair (Mr. Steve Clark): Is there any other debate?

Ms. Aislinn Clancy: Can I get a recorded vote?

The Chair (Mr. Steve Clark): Recorded vote, okay.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): Motion is lost.

We’ll now move to the next amendment: MPP Clancy, independent motion 0.2.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by striking out subsections 19(3) and (4) of the Ministry of Training, Colleges and Universities Act.

The reason I’m proposing this amendment is because it restores institutional autonomy. I think we are setting ourselves up for a battle and a butting of heads between different acts. We know that the universities act is staunch on maintaining institutional autonomy, that the freedom universities and colleges have—or universities, at least—is sacred and it creates a good reputation for integrity globally when we think of our colleges and universities.

So that’s the rationale behind the amendment, listening to the post-secondary stakeholders who recognize the role they are already playing and ensuring that they maintain that autonomy going forward.

The Chair (Mr. Steve Clark): Further discussion?

Ms. Peggy Sattler: We certainly support the spirit of this amendment. The overreach of this bill was highlighted by many of the deputations that appeared before this committee—the unprecedented overreach, and the challenge to the autonomy of post-secondary institutions in determining their own policies and the potential conflict in the university sector with the individual universities acts that empower universities with the authority to be self-governing and to determine their own internal affairs.

The issue of ministerial directives, the overreach that is reflected in a ministerial directive, was emphasized repeatedly by people who appeared before this committee as a threat to the independence of our post-secondary sector to be able to engage in academic research. It was regarded as a potential challenge to issues around institutional autonomy and, in many ways, an undermining of democracy, because this bill empowers the minister to unilateral-

ly dictate contents of policy without any engagement. This is something that we would support in principle because we do not agree that the minister should hold such unprecedented power, particularly given the legislative framework in which our universities function; they are self-governing and have the legislated ability to determine their own policies. But in the college sector, as well, there has to be institutional autonomy in developing policies.

1010

This amendment wouldn't override the requirement for colleges and universities to have student mental health policies—we know that most, if not all, already do—but it would put a safeguard on the overreach of the government in dictating the contents of those policies.

The Chair (Mr. Steve Clark): Further debate? Seeing no debate, are members ready to vote?

Ms. Aislinn Clancy: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): Motion lost.

The next amendment: MPP Sattler, amendment number 1.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by adding the following subsection to section 19 of the Ministry of Training, Colleges and Universities Act:

“Consultation

“(3.1) Colleges and universities shall consult with students, educators, members of relevant trade unions, experts and community members in developing a student mental health policy.”

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: This aspect of consultation is really, really critical. For any policy to be successful, you need the engagement of the people who are going to be directly affected by the policy. That is students. That is faculty. That is the staff who work at our colleges and universities. That is people who understand the field that the policy is coming from. That is the community members who work with colleges and universities, and also those community organizations that also support students off campus.

This was an amendment that was brought before this committee by a number of the deputations: the Alma Mater Society of Queen's University, Canadian Federation of Students—Ontario—

The Chair (Mr. Steve Clark): MPP Sattler, I hate to interrupt you, but seeing the time, the committee now stands in recess until 3 p.m.

The committee recessed from 1015 to 1500.

The Chair (Mr. Steve Clark): Good afternoon, everyone. We'll now resume clause-by-clause consideration of Bill 166.

I want to flag to everyone—and I'll remind us when we get to this section—there's an administrative change that has to correct the order of motions. The independent motion 16.2 will be considered after the NDP motion 15 and before the NDP motion 16. So, the new order, for members, will be 15, 16.2, 16, 16.1 and then 17. I'll repeat the new order: 15, 16.2, 16, 16.1 and 17. And I will do this again when we get to that section.

Okay, so when we last adjourned—again, my apologies—MPP Sattler was halfway through the debate of the amendment number 1, which creates a new subsection 3.1.

So, MPP Sattler, I'll turn the floor back over to you.

Ms. Peggy Sattler: Okay. Thank you very much, Chair.

I think I was referring to some of the organizations, some of the deputants, who had appeared before the committee and had urged consultation in the development of a student mental health policy. There were many, and they included the Alma Mater Society of Queen's University, the Canadian Federation of Students—Ontario, Centre for Innovation in Campus Mental Health, Conestoga Students Inc., OPSEU, Ontario Student Voices, Ontario Tech Student Union, the Ontario Undergraduate Student Alliance and Western USC.

Several of the deputants also made reference to O. Reg. 131/16, which is the regulation that required post-secondary institutions to develop a sexual violence and harassment policy. That regulation did include a consultation requirement, and many of the deputants talked about the effectiveness of that consultation and how it contributed to developing a very robust policy on sexual violence and harassment that had a lot of buy-in from the students and faculty and staff on campus, that engaged community members, that was informed by expert research on the issue of sexual violence and harassment. So, that is the process that we should be looking at using to develop a mental health policy for students.

We also heard—and I would expect that this would come through in the consultation. We also heard in hearings about the importance of culturally responsive mental health supports, and that kind of advocacy is what you get when you do the broad-based consultation, when you reach out to marginalized and racialized groups and ask them about what kind of mental health policy they need to see that would actually address the needs that they are experiencing. So, that's the reason for this amendment, Chair.

The Chair (Mr. Steve Clark): Further discussion on the motion? Yes, MPP Gélinas?

M^{me} France Gélinas: You saw the number of groups that took time out of their time and effort to come and share with us that this needs to be addressed.

If you want a strong mental health policy, you have to make sure that you listen to the people who need the services, you listen to the people who deliver the services, you listen to the community, you listen to the faculty, to the assistants, to people who work within our colleges and

universities, as well as the unions that represent them. This is how you will end up with the best possible policy when it comes to offering mental health in our 47 campuses of universities and colleges.

That's all that this motion does: It makes sure that they will be mandated to take a collaborative approach. It's not something new; it's something that this government has done already when it talks about sexual violence and harassment policies in our colleges and universities. It needs to be done also for mental health policies to be as effective as possible.

Take into—a college in Hearst or university in Hearst is very different than the University of Toronto. They both need to listen to the people that they serve, to the people they represent, to the people who work there, who know their community, who know the challenges, who know way more than we will ever do about the types of policies that will be helpful to them. That's all that this motion does.

The Chair (Mr. Steve Clark): Further debate? MPP Clancy.

Ms. Aislinn Clancy: I agree that collaboration and consultation is helpful. I think we've seen that when we go ahead a little too quickly, it means there ends up being harm done or reversals or court challenges or things like that.

Not only is it the right thing to do—it might take a little longer, for sure, and I know a lot of your constituents are asking for help now because they're facing hate now or they're facing mental health challenges now, but I do think that by including all these voices, we're learning from the past. We've done a lot in Canada that hasn't fully included the many voices of the people impacted by government and policy, so I think it would do a lot to build bridges. I think that that's what this policy is really about: trying to build bridges in our campuses, to make sure people have access to well-being and people have access to the help they need. I think by informing the policy with those people, the bridge will be strong and it will last for many years to come.

The Chair (Mr. Steve Clark): Further debate? MPP Pierre, did I see your hand up?

Ms. Natalie Pierre: Yes, thank you.

The Chair (Mr. Steve Clark): Go ahead.

Ms. Natalie Pierre: I recommend voting against this motion because, while we appreciate this friendly amendment, we recommend voting against this amendment. As mentioned during consideration of this bill, consultations with the sector regarding the creation of the directive would happen following the passing of the legislation. There is also the ability for the directives to contain the requirement that schools work with their campus communities in developing these policies. Therefore, we will be voting against this amendment and will encourage the minister to consider including a similar requirement in the directive.

The Chair (Mr. Steve Clark): Vice-Chair Gélinas.

M^{me} France Gélinas: I want you to realize that we're all on the same page. We all agree that consultation will

lead to something better in a service area that we all know is very important. It's important at this stage more than ever. To tell us that it will happen in regulation—"trust us, it will happen later"—is not enough.

When you have the Ontario Student Voices, the Ontario Tech Student Union, the Ontario Undergraduate Student Alliance, the University Students' Council, the Alma Mater Society of Queen's University, Conestoga Students, the Canadian Federation of Students—Ontario division, the Centre for Innovation in Campus Mental Health—when all of those people have come and specifically asked for this to be put in the bill and you say, "Trust us, we will put it in regulation," why? We all agree it will make things better. We are legislators. We can do this now. Let's get it done.

The Chair (Mr. Steve Clark): Are committee members ready to vote?

Ms. Aislinn Clancy: Recorded vote, please.

The Chair (Mr. Steve Clark): Recorded vote. All those in favour, please raise your hands.

M^{me} France Gélinas: We will ask for a recorded vote for all of our motions.

Interjection.

M^{me} France Gélinas: Ask every time? Okay. Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): Motion lost.

We'll now move to the next section. This is opposition motion number 2. MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out subsection 19(4) of the Ministry of Training, Colleges and Universities Act and substituting the following:

"Regulations

"(4) The Lieutenant Governor in Council may, in respect of the colleges and universities described in subsection (1), make regulations,

"(a) setting out processes that shall be followed and persons who shall be consulted in the development and approval of the mental health policy under this section;

"(b) governing topics that shall be addressed or elements that shall be included in the mental health policy under this section;

"(c) governing the provision of training to faculty staff, students and other persons about the mental health policy under this section;

1510

"(d) respecting the publication of mental health policy under this section and the promotion of awareness of the policies and rules;

“(e) governing any other matter that the Lieutenant Governor in Council determines is necessary or advisable relating to the mental health policy under this section.”

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: As I stated in the earlier amendment around consultation, this amendment is modelled after what we saw in O. Reg. 131/16, which was the regulation to require sexual violence and harassment policies on campus. This is very different from the ministerial directive that is described in this bill. This amendment would replace a ministerial directive, which is something that can be done in the backrooms of the minister’s office. There’s no requirement for consultation. We don’t know what that directive is going to include, and it’s then imposed on the sector.

The benefit of using this approach—which, as I said, was used for the development of sexual violence and harassment policies—is that it provides transparency. It allows for regulations to be publicly posted. It allows for a consultation period on what those regulations include. That is what we are lacking so terribly in this bill. There’s no transparency whatsoever about the ministerial directives that determine the content and the topics, the elements that are supposed to be included in the student mental health policy.

This was an amendment that was requested by the Council of Ontario Universities, the body that represents 23 universities in this province. I would encourage the government to support this amendment because it addresses many of the concerns that were raised by deputation before this committee about the undermining of the universities acts and the autonomy and independence of our post-secondary institutions to move forward with their own policy development. So yes, I encourage the government to support this amendment.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: Ministerial directives are already a tool used by the minister when creating requirements for the sector. It allows practices and policies to be flexible and responsive, while being enforced by the ministry.

By moving away from this process, policies around student mental health risk become outdated and unresponsive to the needs of the students in the future, so we believe that this is a good tool for the minister to have to respond to things quickly as time needs it. I’ll be recommending to vote against this motion.

The Chair (Mr. Steve Clark): Further discussion? MPP Sattler and then MPP Clancy.

Ms. Peggy Sattler: I just want to respond to the comments from MPP Grewal. It was interesting last week when we heard the Premier himself say in a media conference that he felt that the provisions of this bill represented an overreach; that he recognized that universities are self-governing and that their autonomy needs to be respected.

He actually said that he expected that the provisions of this bill would rarely be used, which is a big contrast to what we just heard from MPP Grewal, where they’re

anticipating that ministerial directives will be imposed quickly. They allow the government to respond immediately. They don’t require any consultation. They can just be printed out the night before and imposed on the sector.

We need a transparent public process that will inform the contents of these policies that our post-secondary institutions will now be required to implement.

The Chair (Mr. Steve Clark): MPP Clancy.

Ms. Aislinn Clancy: Yes. To me, this feels like recognizing the systems in place that exist. If I go into your home or I go to another country, I don’t make the rules. I try to work within the system and co-exist, I guess. I think it’s helpful. It shows goodwill to recognize the counsel that exists there. I know in Waterloo region, for example, the Minister of Municipal Affairs and Housing just gave university campuses the ability to do their own planning, so we are undermining the work that they’re already doing and then also recognizing their ability to do things that are new. I guess I’m feeling like we’re not working in the same direction of understanding the capacity that exists already.

When I’ve talked to leadership in colleges and universities, I think they’re feeling misunderstood in many ways, because they do pride themselves on working really hard and having a good governing structure. All this means is that it creates a good working relationship. I don’t know what the phrase is—somebody can tell me—but it’s like using a sledgehammer to kill a mosquito, maybe. I think the directive should be a last resort, and I don’t know if we’re there yet.

I think I would like to see us—I don’t want to say slow the process down completely, but weave in a few little backstops to make sure that (a) there are no court challenges, and (b) there’s no big outcry on university campuses, like we’ve seen in other parts of the world. I don’t think we need to create that kind of division. This would protect against some pretty extreme division. I know there is division already; I just don’t want to add more fuel to the fire. By respecting the democracy that exists on campuses, I think we will go a long way to protecting against any fuel.

The Chair (Mr. Steve Clark): Is there any further debate? Are the members ready to vote?

Ms. Peggy Sattler: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): Motion lost.

We’ll now move to the next official opposition amendment, number 3. MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out clause 19(4)(b) of the Ministry of

Training, Colleges and Universities Act and substituting the following:

“(b) specify steps, other than removing funding, that the minister intends to take if, in the opinion of the minister, a college or university fails to comply with subsection (2) or the directive.”

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: We heard a number of the people who appeared before this committee raise concerns about the unspecified consequences that are referenced in this bill if a college or university fails to develop a policy that the minister deems is in alignment with the ministerial directive. This amendment simply provides a little bit of information about what the consequences might be, and it prohibits the minister from removing funding, because several of the deputants talked about how counterproductive it would be to remove funding from post-secondary institutions that are already dealing with a significant funding crisis. They had identified that a minimum of \$2.5 billion is needed to ensure the sustainability of the sector. What they got from this government was half of that. The only new funding that is attached to student mental health services is that \$8 million for the Postsecondary Mental Health Action Plan. As I have said repeatedly, \$8 million over three years, \$2.7 million a year divided by 47 institutions, is \$57,000 per college or university.

If the ministerial directive spells out or lists all of the elements and the topics that are to be in this student mental health policy but the resources aren't provided to implement the policy, then why would the minister possibly punish that institution by removing funding for something that was out of their control? They simply did not have the staff to deliver the mental health supports that students need.

1520

We have talked, we heard several deputants, I talked this morning in my remarks about the need to increase funding as the best way to ensure that students are getting their mental health needs supported on campus. So even without any more information about the other potential consequences that could be imposed by the minister on colleges and universities, I would hope, at a minimum, that this government would agree that a financial penalty for institutions simply does not make sense when you are trying to ensure that students at college and university campuses get the mental health supports that they need.

The Chair (Mr. Steve Clark): Further debate?

Mr. Hardeep Singh Grewal: The ministry has a duty to ensure that schools are upholding their responsibility to students to ensure policies like those around mental health are followed and students are supported.

Funding agreements are legal contracts between schools and the ministry, and schools have a duty to ensure all funds are used as intended, as would be the case for mental health funding. Removing the ability for the minister to ensure dedicated mental health dollars are being spent to support student mental health resources or supports and not on other institutional costs would go against the principle of supporting students and weaken

any directive aimed at protecting and supporting their mental health. Therefore, I recommend voting against this amendment.

The Chair (Mr. Steve Clark): Further debate?

Ms. Aislinn Clancy: I guess my concern as a mental health professional is that it's a lot. It's a lot. I saw, as a school social worker, by the time February came along, I had over a hundred students on my caseload. So the problem is, then, if my institution is penalized because I can't do as good a job as I would like to because I have such an enormous caseload, it becomes a bit of a vicious cycle where the underfunding, I think what we're hearing, is one of the root causes of why a lot of these needs aren't being met fully by students. So these kinds of cuts that we've seen to colleges and universities are also in the making of the problem.

And I guess the worry is, too—I understand that there is a desire for accountability because dollars are being spent. But without the collaboration, it feels a bit punitive. As a parent, I always try to go with the least intrusive mechanism first, and I think until trust is built, students are the ones who will lose and they're the ones who, I think, expressed the greatest concern about the funding. I can't imagine going to undergrad, starting my college diploma, and then, two years into it, the program is cut or funding is cut for the school, and it actually reduces their ability to do any better.

So I do urge some caution when it comes to—I will support the motion because I do feel like we're creating a tipping point, I guess, of funding, where here we are, adding red tape and threatening that if the reporting isn't done on the work that's underfunded, we're going to reduce funding. So it feels like a tipping point where we're spinning a snowball down a hill and the problem might continue to get worse if we continue with financial measures as a way to underfund and then penalize at the same time. I echo those concerns.

The Chair (Mr. Steve Clark): Further debate?

M^{me} France Gélinas: So, everybody realizes that the paragraph stays the same; the only thing that changed is that we added “other than removing funding.” And this is put there because funding for mental health is always at the bottom of the list. If you look through the money we spend in health care, in all parts of health care, community mental health is at the bottom of the list, if at all an item on the list.

This would bring reassurance to the colleges and universities that they will do their best to put policies forward that are as appropriate to support the needs of the students who are registered with their institution, but at least they will know that their removing of funding is not a threat, because then, what's the point in having a good policy? You will forget about everything and just do what the minister asks you to do if you know that you are not going to get funding if you don't. It takes the needs of the community versus the wishes of the minister—and ministers do change through the years; some are better than others.

The Chair (Mr. Steve Clark): Further debate?

Ms. Peggy Sattler: I just wanted to remind members again what we heard from the Centre for Innovation in Campus Mental Health. They referenced the HEQCO study, the study that had been done by the Higher Education Quality Council of Ontario. It came out in January of this year; it's a very recent report. They reviewed mental health policies at post-secondary institutions across Ontario, and what they found is that the policies are generally quite good. They're solid policies.

The big issues that post-secondary institutions are facing are implementing the policies, staffing the mental health services. It just makes no sense, when there is so much evidence, when the minister has heard so often from institutions and from organizations like HEQCO that have done this review of the mental health supports that are in place, when everybody is saying the issue is the underfunding of mental health supports on campus—it makes no sense that this minister would then decide that removing funding from a completely underfunded system is a way to improve mental health supports for students.

The Chair (Mr. Steve Clark): Further debate? Are members ready to vote?

Ms. Peggy Sattler: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

Opposition amendment number 4: MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out “anyone who requests it” in clause 19(6)(a) of the Ministry of Training, Colleges and Universities Act and substituting “the public”.

The Chair (Mr. Steve Clark): Discussion?

Ms. Peggy Sattler: This was an amendment that was brought to this committee by OUSA, and it all goes back to transparency. Several times, I've raised the transparency concerns that were brought to this committee, because there is a real lack of transparency in what's going to be in this minister's directive and what are the consequences that are going to be imposed for non-compliance. In this case, there's a lack of transparency about the policy even after it has been developed, because the legislation is suggesting that the policies are only available on request instead of being publicly available. They should be publicly posted; they should be there for students, staff and community, for public review and consideration.

So this amendment addresses that concern about transparency, or that aspect of the transparency concern and, as I said, responds to a request from OUSA.

The Chair (Mr. Steve Clark): Further debate?

Mr. Hardeep Singh Grewal: While we appreciate the intent of the amendment, the implication of this could be interpreted that a school would need enough printed copies on hand at all times to ensure every member of its campus and surrounding community has one. This would create a significant financial and logistical challenge on the institutions.

Creating a few physical copies at the request of an individual or group is a much more reasonable ask. Therefore, I recommend voting against this amendment. It's quite simple: Having that many printed copies, if the institution is required to, just doesn't make sense, and if anybody needs it, it's readily available.

1530

The Chair (Mr. Steve Clark): Further debate?

Ms. Aislinn Clancy: Could the policy not be made available online? Are there ways we can do that without cutting down some trees and just making it easy to access, like an online version?

Mr. Hardeep Singh Grewal: The way the amendment is currently drafted has a lot of variances and it wouldn't make sense for us to vote in favour of this amendment.

The Chair (Mr. Steve Clark): Are members ready to vote?

M^{me} France Gélinas: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): Motion lost.

The next amendment, amendment 4.1: MPP Clancy, this is your amendment.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by striking out “and” at the end of clause 19(6)(a) of the Ministry of Training, Colleges and Universities Act, by adding “and” at the end of clause 19(6)(b) of that act and by adding the following clause:

“(c) publish a description of the input process established under subsection 19(2.1).”

The Chair (Mr. Steve Clark): Discussion?

Ms. Aislinn Clancy: I think we're all working towards some transparency here. Let's put our laundry on the clothesline a little bit, the hope being that I think we build trust from the public when we can explain to them how we came to this conclusion. My kids say to me, “Why? Why? Why?” all the time, and I think it's a good question, and also the how. All this does is try to encourage and create a bit of transparency around the process on how these directives came. We understand that it's hard right now in this moment—

The Chair (Mr. Steve Clark): Sorry, MPP Clancy. I apologize. I've been advised that the proposed amendment

is out of order as it attempts to amend part of a subsection that doesn't appear in place of the bill. So it's out of order.

Ms. Aislinn Clancy: Oh, okay.

The Chair (Mr. Steve Clark): The section that we're referencing is 19(2.1).

Ms. Aislinn Clancy: Sorry. Can you explain that a little bit? I'm a newb.

The Chair (Mr. Steve Clark): So 19(2.1)—

Ms. Aislinn Clancy: It's moving a word and then adding an amendment, an addition.

The Chair (Mr. Steve Clark): But it's saying, "publish a description of the input process established under subsection 19(2.1)." So 19(2.1) would have been established by a previous amendment—

Ms. Aislinn Clancy: That failed.

The Chair (Mr. Steve Clark): —that failed. So therefore, there's no section.

Ms. Aislinn Clancy: All right. We can't amend something that didn't get amended before.

The Chair (Mr. Steve Clark): Yes, correct.

Ms. Aislinn Clancy: Fair.

The Chair (Mr. Steve Clark): My apologies.

Ms. Aislinn Clancy: No, no. Thank you. It saved us five minutes. Thank you. We've got to keep it interesting.

The Chair (Mr. Steve Clark): Yes, exactly.

The next amendment would now be an official opposition amendment, number 5.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out "five years" in clause 19(6)(b) of the Ministry of Training, Colleges and Universities Act and substituting "two years".

The Chair (Mr. Steve Clark): Discussion?

Ms. Peggy Sattler: This was suggested to this committee by the Ontario Undergraduate Student Alliance as well as the USC at Western University because, as students who typically attend campus for a four-year period, a four-year undergraduate degree, they felt very strongly that a five-year review period does not take into account the changing needs of the student body. So they had recommended that a shorter review period, a two-year review period, would be much more appropriate in tailoring the mental health policy to respond to the needs of students as they progress throughout their post-secondary program of study.

The Chair (Mr. Steve Clark): Discussion? MPP Clancy.

Ms. Aislinn Clancy: I want to remind everybody that the reason we're probably here today is because of COVID-19 and the events of October 7. Both of those things happened within five years. So if we think about a five-year period, and if we're not revisiting policy every two years, we can miss major events that have a massive impact on young people. Young people's lives are so now, now, now. I may say that when I see young people, they come and go. I see them two years later, and they're totally different human beings. So I do think not only are world events happening at a rapid pace lately, but we also know that the development of young people under the age of, let's say, 24 is a monumental time in life.

So, yes, I'll support it not only because I put forward the same amendment but because I think it also empowers young people. We saw so many people in their early twenties, maybe even late teens, coming here. That's pretty epic. I think we want to empower young people to feel like their voice matters. I think denying them any voice in any of these amendments is a disservice to their efforts to be part of the changing policy that affects them directly. So, yes, I'm encouraged to support our young people, encourage the efforts they made to come here and recognize the last five years as being monumental in terms of the well-being of our student campus mental health.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: Thank you for the amendment. However, instituting a two-year review at the outset may not provide sufficient time for data collection and comprehensive review of a campus policy. While we agree that this should not necessarily remain at five years indefinitely, (6)(b) states, "at least," which allows the minister to recommend a shorter duration should this become necessary. A five-year review is also consistent with other legislated reviews such as the anti-racism strategy and the community treatment plans under the Mental Health Act. Therefore, I would be recommending not to vote in favour of this amendment.

The Chair (Mr. Steve Clark): Further debate? Are members ready to vote?

M^{me} France G elinas: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote.

Ayes

Clancy, G elinas, Sattler.

Nays

Grewal, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I'll declare the motion lost.

Go ahead, MPP Sattler. Amendment number—

Interjection.

The Chair (Mr. Steve Clark): Oh, sorry—the independent. This is MPP Clancy's, amendment 5.1. Go ahead.

Ms. Aislinn Clancy: There is an echo in here. The echo is: I move that section 2 of the bill be amended by striking out "five" and substituting "two" in clause 19(6)(b) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): I'll declare that out of order since it's a direct duplicate to the motion that the committee just dealt with.

Ms. Aislinn Clancy: Another five minutes saved.

The Chair (Mr. Steve Clark): The next amendment is an opposition amendment, number 6.

MPP Sattler, are you moving that? Yes, go ahead.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by adding the following subsection to section 19 of the Ministry of Training, Colleges and Universities Act:

“Evaluation by Higher Education Quality Council of Ontario

“(6.1) The minister shall request that the Higher Education Quality Council of Ontario evaluate the mental health policy of every college and university.”

The Chair (Mr. Steve Clark): Discussion? MPP Sattler, do you want to go ahead?

Ms. Peggy Sattler: Yes. This government, several years ago, brought in a requirement for colleges and universities to develop a free speech policy for all of our campuses. That policy included the requirement for HEQCO to review those policies and to provide annual reports on those policies. That seems to be an appropriate way to ensure some checks and balances around these policies, to ensure that there is a proper evaluation of the mental health policy of every college and university. Because given that the amendments that we have proposed to ensure broad consultation, to ensure transparency, to ensure the involvement of experts in the policy have all been voted down by the government members, we need some tool to make sure that the mental health policies that are now going to be required by ministerial directive, if the legislation passes—we need to ensure that they are evidence-based, that they are culturally responsive, that they address emerging needs, that they deal with the complexity of mental health issues that students are presenting with, and that they actually provide the supports that student needs. That is the reason for this amendment.

1540

The Chair (Mr. Steve Clark): Further debate?

Mr. Hardeep Singh Grewal: Thank you to the member for putting forward this amendment. While we appreciate the amendment and while the Higher Education Quality Council of Ontario serves an important role for the ministry, we believe that the minister should be the one to determine who should review the policies of institutions.

That said, we would encourage her to consider HEQCO as a potential option but will not support an amendment creating a requirement. It must be that organization, so the minister should have the ability choose which organization they would like to do that review. Due to that, we will not be voting in favour of the amendment.

The Chair (Mr. Steve Clark): Further debate?

M^{me} France Gélinas: By having the Higher Education Quality Council of Ontario be responsible for reviewing the policies that are developed in the 47 colleges and universities, you have this opportunity that exists throughout the health care system to develop best practices. Not only will the review serve to make sure that everybody meets the requirement and everything else, but best practices get identified.

Any college or university that is not too sure of how you do this, what’s the best way, there’s plan A or plan B—let’s go to the Higher Education Quality Council of Ontario. We know that they are the ones who do the review. Let’s see if they have identified any best practices.

This has allowed the mental health system in Ontario, as well as the health system as a whole, to outperform. Why? Because we pool our resources together. When somebody has a good idea, you identify it, and you share it with the rest of the members who do the same work. This can only happen if the entity doing the review is known, is going to be there, will be there in the long-term. The Higher Education Quality Council of Ontario has already done that kind of work. It does that kind of work for many other parts of our education system. It makes sense to put it there.

Colleges and universities are not care providers. We are now asking them to provide mental health policies to provide care. It would make a whole lot of sense to designate the Higher Education Quality Council of Ontario as the overseer—not to punish, but to learn, to share best practices, and to move this section forward. I would encourage you to reconsider.

The Chair (Mr. Steve Clark): MPP Grewal?

Mr. Hardeep Singh Grewal: Yes, just for a quick clarity: This doesn’t mean that the Higher Education Quality Council of Ontario will not be allowed to conduct the review. This just means that the minister or the ministry will have the opportunity to decide who is best fit to conduct that review, the way it is written. Hence why we will not be voting in favour of your amendment.

The Chair (Mr. Steve Clark): Further debate? MPP Clancy and then MPP Sattler.

Ms. Aislinn Clancy: Yes, I worry that we’ve left too much unsaid. There’s a lot of grey, if not all grey. I have a bit of grey here. But I guess the concern is that because there’s a lack of clarity, I can bring back to my constituents that there’s worry and anxiety, and that doesn’t build a lot of trust.

I think when we look to HEQCO, we’re putting in one little check and balance. As a minister, I would wish for her to have a check and balance so that she is not taking on such responsibility that may or may not be out of her scope of expertise. I don’t know what her résumé looks like, but I know that HEQCO is well qualified to be a filter, to provide quality feedback, to analyze one campus against another and see what are some good consistent practices to be had.

I guess I’m showing concern for the minister, that maybe by creating a policy that is only grey and putting a lot of power and responsibility on her shoulders, it could be a set-up for harm to be done and for further concern from the stakeholders that are meant to be partners in this. I think we want to see good partnerships and that can be jeopardized when we’re not putting in a check or a balance. So I will support the amendment.

The Chair (Mr. Steve Clark): MPP Sattler.

Ms. Peggy Sattler: In follow-up to MPP Grewal’s comments, right now, the legislation doesn’t say anything about the minister reviewing the policies. The minister is empowered to take steps to impose consequences for universities or colleges that fail to comply with the ministerial directive, but it doesn’t say anything about a

ministerial review being conducted prior to the imposition of consequences.

The legislation states that colleges or universities should review their student mental health policy, which, of course, is appropriate and much needed because these services are delivered locally and so they need to be reviewed at the institutional level. But we also need, as my colleague MPP Gélinas said, a way to look at all 47 policies, to look at what's working, what's not, to look at what can be borrowed and applied as best practice in other institutions.

Whether it's HEQCO or not, we do know—several of the deputants talked about the HEQCO review that was already done in January of post-secondary student mental health policies across the province. That was more of a qualitative study, but it would make a lot of sense to make that happen on a regular basis so that those policies are collected and can have the evaluation that's necessary to be able to determine if the minister is of the opinion that the policy fails to comply.

The Chair (Mr. Steve Clark): Any further debate? Are members ready to vote?

M^{me} France Gélinas: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): Motion lost.

The next amendment is NDP amendment number 7. MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out subsection 19(8) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: This subsection, 19(8), is the part of the bill that exempts the ministerial directive from any of the requirements of the Legislation Act, 2006. When the minister appeared before this committee, I asked the minister why this exemption was written into the bill, because the Legislation Act, 2006, includes a number of important transparency requirements. It ensures that public policy initiatives go through a process that enables the public to understand what the government is doing and gives them a little bit of insight into what's going on. So it's concerning that when I asked the minister why this exemption is included in the bill, she had no answer. She had no answer whatsoever.

1550

I think it's important to strike this exemption and to ensure that this act is subject to the transparency requirements of the Legislation Act, 2006.

The Chair (Mr. Steve Clark): Further discussion? MPP Grewal.

Mr. Hardeep Singh Grewal: Section 19(8) is standard Ontario legislative terminology. If removed, there could be uncertainty of whether part III of the Legislation Act, 2006, i.e., rules and regulations, applies to the directive. In order to avoid uncertainty within the legislation, I will be recommending to vote against this amendment.

The Chair (Mr. Steve Clark): Further debate? MPP Sattler.

Ms. Peggy Sattler: There is so little transparency into this ministerial directive. There is so little opportunity for the public to be involved, for students, faculty, staff, community experts to be involved in the development of this mental health policy. At the very least, one would think that the government would be open to ensuring that the transparency provisions of the Legislation Act, 2006—that those transparency requirements should be applied to this bill.

The Chair (Mr. Steve Clark): Any further debate? Are members ready to vote?

M^{me} France Gélinas: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment, NDP amendment number 8: MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out “antisemitism and Islamophobia” in subsection 20(2) and substituting “antisemitism, Islamophobia, anti-Palestinian racism and anti-Asian racism”.

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: Several of us, I think, in this room were around in 2017 and may recall when the previous Liberal government brought in the Anti-Racism Act. And in its first version, that bill only addressed anti-Black racism and anti-Indigenous racism. And you, Chair, may recall that all parties came together and agreed about the importance of amending the Anti-Racism Act to specifically address anti-Semitism and Islamophobia because of what was happening in the province at the time. So that legislation was amended. There was all-party agreement that this was an important amendment to make, that it recognized the reality of what was going on in our province and that as a Legislature we had to make a statement and name the kind of racism and hate that Jewish communities were facing and Muslim communities were facing.

We heard specifically from a couple of the deputations that came to committee, NCCM and Suhaila Salah, from the organization Sporas, who urged the committee to amend this bill to explicitly name anti-Palestinian racism because of the time we are at in this province and the increased incidence of reports of anti-Palestinian racism. The minister herself, in her opening comments, referenced both anti-Palestinian racism and anti-Asian racism when she appeared before this committee.

So I think that, given what we know—in the aftermath of COVID, we heard increasing reports of anti-Asian racism. We know that is on the rise. The minister talked about anti-Asian racism. We know for sure that anti-Palestinian racism is on the rise.

We know that we need to make this policy on racism and hate on campus as encompassing as possible, to reflect the reality of what is going on in our communities. I urge the committee to support this amendment. It reflects what we heard, what the minister talked about in her remarks and what Ontarians are experiencing—Ontarians who are Palestinian, Ontarians who are Asian. They are seeing increased experiences of being targeted for racism and hate in our province.

And if we are going to require post-secondary institutions to have policies on addressing racism and hate, those policies should name anti-Palestinian racism and anti-Asian racism, along with anti-Semitism, Islamophobia, anti-Black racism, and anti-Indigenous racism.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: While we appreciate the intent of this amendment, the language chosen in Bill 166 is consistent with the language in the Anti-Racism Act of 2017. It also contains language that is clearly indicative that the directive would cover all forms of hate and not just those explicitly mentioned. I also want to mention that in the Anti-Racism Act of 2017, it says the exact same:

“2(1) The government of Ontario shall maintain an anti-racism strategy that aims to eliminate systemic racism and advance racial equity....

“(2) The strategy shall include the following:

“1. Initiatives to eliminate systemic racism, including initiatives to identify and remove systemic barriers that contribute to inequitable racial outcomes.

“2. Initiatives to advance racial equity.

“3. Targets and indicators to measure the strategy’s effectiveness.”

For those reasons, we will be voting against this friendly amendment.

The Chair (Mr. Steve Clark): Further debate: MPP Clancy.

Ms. Aislinn Clancy: In my work in schools as a social worker, I do feel like equity is something that we’re always learning more about. I think we’re in a contemporary time where I know if anybody right now opened up your social media, you would be receiving one narrative or another, especially in relation to the events after October 7. That’s why it is okay to use new words, to

include new terminology, as we aim to address equity-related issues that we see on campus.

I have heard a lot from my community. This is very deep in people’s hearts, just like we heard from so many young people on both sides who are being impacted, similarly and differently, related to hate after October 7.

I think by including this, we’re ensuring that the policy aims to be inclusive, addresses equity across different demographics and goes to combat the divide and conflict we see in our own House, in this Legislature, which I think is really causing silencing, causing division. I think we want to do everything we can to build a bridge.

We heard from the rabbi that he wanted to encourage an interfaith conversation at every step possible. I think by putting this terminology in the policy, we’re creating an olive branch and doing whatever we can to combat the divide that is only fuelling hate and fuelling acts of anti-Semitism, anti-Palestinian racism and other forms of hate. So I support the use of the addition of anti-Palestinian racism because I think it acknowledges what’s happening right now, and it creates an interfaith and equity conversation that I think is important for peace, harmony and open dialogue.

The Chair (Mr. Steve Clark): Any further discussion? MPP Sattler.

Ms. Peggy Sattler: I do want to respond to MPP Grewal’s comments about the 2017 Anti-Racism Act. Certainly the third reading version of the bill that was passed in 2017 included those four forms of hate—anti-Semitism, Islamophobia, anti-Black racism and anti-Indigenous racism—but the second reading version of the bill did not. So it is totally in line with what happened with the 2017 Anti-Racism Act to make an amendment that acknowledges the sharp increase in hate that we have seen directed against the Palestinian community, against the Asian community, especially in the wake of recent events.

1600

We heard from deputants to this committee about the rise in anti-Semitism, but we also heard—the NCCM talked about a 900% increase in Islamophobia, which is not always the same as anti-Palestinian racism. That was a point that was made very clearly to us by Suhaila Salah, who works with Palestinian young people, Palestinian students, and really urged the committee to acknowledge the reality of the anti-Palestinian racism that young people face in Ontario right now.

So these things aren’t written in stone. Just because the 2017 version of the Anti-Racism Act that was passed only acknowledged those four forms of hate doesn’t mean that this committee can’t acknowledge that there are other rising forms of hate that are equally troubling and that are equally harmful to people in this province. So I really urge the government to reconsider its opposition to this amendment and to support the additions of anti-Palestinian racism and anti-Asian racism.

The Chair (Mr. Steve Clark): Anything further? Are members ready to vote?

M^{me} France Gélinas: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): Motion lost.
I'll now ask MPP Sattler to introduce 8.1.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out “antisemitism and Islamophobia” in subsection 20(2) and substituting “antisemitism, Islamophobia and anti-Palestinian racism”.

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: I wasn't sure if the government's opposition to the previous motion was based on its inclusion of anti-Asian racism, so I wanted to give the government an opportunity to show their support for the deputations that came to this committee, the presentation that we received from NCCM—the National Council of Canadian Muslims—which is the largest Muslim organization in the country and an important and very influential voice in the province of Ontario, representative of communities across the province. NCCM came to us and asked us specifically to show leadership, to amend this bill to include, to name anti-Palestinian racism as a rising form of hate that students are experiencing on our post-secondary campuses.

It was also pointed out to us by Suhaila Salah, from the organization Sporas, that works with Palestinian young people, that anti-Palestinian racism is different from Islamophobia and has to be acknowledged as such.

So, even though the government couldn't support the previous amendment, I hope that this is an amendment that they will support.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: For reasons stated previously, we'll be recommending not to vote in favour of this amendment.

The Chair (Mr. Steve Clark): Anything further? Are members ready to vote?

Ms. Peggy Sattler: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): Motion lost.
The next amendment, 8.2, is yours, MPP Clancy.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by striking out “anti-Indigenous racism, anti-Black racism, antisemitism and Islamophobia” and

substituting “anti-Indigenous racism, anti-Black racism, antisemitism, anti-Palestinian racism and Islamophobia” in subsection 20(2) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): Discussion? MPP Clancy.

Ms. Aislinn Clancy: I just wanted to share the definition of anti-Palestinian racism:

“Anti-Palestinian racism is a form of anti-Arab racism that silences, excludes, erases, stereotypes, defames or dehumanizes Palestinians or their narratives. Anti-Palestinian racism takes various forms including:

“—denying the Nakba and justifying violence against Palestinians;

“—failing to acknowledge Palestinians as an Indigenous people with a collective identity, belonging and rights in relation to occupied and historic Palestine;

“—erasing the human rights and equal dignity and worth of Palestinians;

“—excluding or pressuring others to exclude Palestinian perspectives, Palestinians and their allies;

“—defaming Palestinians and their allies with slander such as being inherently anti-Semitic, a terrorist threat/sympathizer or opposed to democratic values.”

I think the colleges and universities are worried that criticism of any government will be silenced by not recognizing this definition of Palestinian racism, and it kind of gives us a context to define hate and democracy and free speech. I think, without proper definition, young people's futures are at risk, because we need parameters. We need some guidelines on how we understand what is hate, what is anti-Palestinian racism, what is anti-Semitism, and without that, it's kind of a set-up for young people.

I know my assistant just went to NYU. He talked about the conflict on campuses, massive protests and arrests. I think by not creating interfaith conversations, by not defining things properly, we're setting up young people, who we know are charged by their underdeveloped executive functioning, prefrontal cortex—that they can be set up for some pretty severe consequences. So I just want to make sure that we can understand the kind of experiences people are having on campus, define them well, include them in our list so that we're setting young people up for success.

We say we want them to report hate. We say we want them to have a mechanism to go and get help for their mental health. We want them to make a phone call when they've experienced hate. I don't about you, but as a young woman, I didn't even know a lot about the sexism I experienced growing up because I didn't have the words to describe it. I didn't have the voice and the outlet to address it directly. It wasn't until much later in life, then I'm like, “Holy crap, that's why I feel the way I feel about my own body, why I feel how I feel about being a woman and my worth and my voice.”

So, I think by using words—I know it might seem like a technicality, but I think what we're doing and we're saying to Palestinian young people is, “You have words to describe your experience, and when we create a mechan-

ism for reporting hate, you know that you're included in that and the impact of the hate you experienced matters and you will get treatment like any other person who experiences hate on campus," and that we address the silencing. I think the worry from academics and students is that peaceful protest will become a source of major anxiety for people because they won't understand what is the context they're able to protest under. So, definitions matter so that we can give young people the tools to know where that line is between hate and free speech and critical feedback to governments about the harms that are happening right now in our world. So, that's why I feel like this matters, and I think that's what I heard when I listened to, definitely, Suhaila from Sporas.

1610

The Chair (Mr. Steve Clark): MPP Grewal?

Mr. Hardeep Singh Grewal: For reasons stated previously, I'll be recommending not to vote in favour of this amendment.

The Chair (Mr. Steve Clark): MPP Sattler?

Ms. Peggy Sattler: Many of the deputants—the young people, the students who came to share their experiences of the reality of what's going on in our campuses—talked about October 7 as a moment in time when we saw a shocking rise particularly in anti-Semitism, but also in anti-Palestinian racism. The stories we heard from the Jewish students were difficult to hear because of the hateful language that had been used to target them with anti-Semitic rhetoric. But we also know—we heard from NCCM, the National Council of Canadian Muslims—that there has been a 900% increase in Islamophobia over the last year, and we know that anti-Palestinian racism is very different from Islamophobia. Many of the incidents of anti-Palestinian racism that Palestinian people are experiencing right now in Ontario are being captured by that broad general category of Islamophobia, but it is different, and we need to acknowledge that.

As I said, back in 2017, a really meaningful thing happened in this Legislature when all the parties came together and said that if we want this Anti-Racism Act to be effective, we need to name the kinds of racism and hate that people in this province are experiencing. The bill that went to second reading only had anti-Indigenous racism and anti-Black racism, but the members around the table said, "We need to expand this, we need to respond to what's actually happening in our province." That's why anti-Semitism and Islamophobia were added.

We can do this, Chair. We can add anti-Palestinian racism today to acknowledge the harm that is being done to Palestinian young people in our province, as well as Indigenous young people, Black young people, Jewish young people and Muslim young people. I'm asking the government: Let's support this amendment.

The Chair (Mr. Steve Clark): Further debate? MPP Gélinas.

M^{me} France Gélinas: I'll be very brief. We are leaders in our community. We represent the 15 million people of Ontario. For us to name anti-Palestinian racism is taking our responsibility as leaders. Things have changed since

2017 when we added anti-Semitism and Islamophobia to the bill. We are in 2024. We all know what happened on October 7. We all know what is happening right now in our province. We are leaders. The words that we use have meanings, will help people. Nothing bad will happen because we add anti-Palestinian racism to the bill; only good things will happen by adding it. Just do it.

The Chair (Mr. Steve Clark): Are the members ready to vote? Is there any other discussion?

Ms. Peggy Sattler: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment is independent amendment 8.3. MPP Clancy.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by adding the following subsection to section 20 of the Ministry of Training, Colleges and Universities Act:

"Consultations

"(2.1) Every college or university described in subsection (1) shall, every three years, establish a process for the provision and consideration of input from a diverse selection of students, staff members and faculty members and shall follow the process in developing the policies and rules referred to in subsection (2) to ensure that the policies and rules are compassionate, community-informed and inclusive of the diversity and cultural and racial diversity of the community within the college or university."

The Chair (Mr. Steve Clark): MPP Clancy, can you re-read the last two lines for us, please?

Ms. Aislinn Clancy: Fair enough. Can I start at "to ensure"? Okay: "to ensure that the policies and rules are compassionate, community-informed and inclusive of the cultural and racial diversity of the community within the college or university."

The Chair (Mr. Steve Clark): Debate? Go ahead.

Ms. Aislinn Clancy: This comes from the united student alliance. The reason why we want consultation to happen every three years: We know there's massive population changes in our province. We know, with international students—I know Conestoga College is in my riding. We've seen a massive shift in the cultural diversity on campus. I know, by having Laurier, University of Waterloo and Conestoga College, each college and university really has a different cultural and racial makeup.

What we're doing is, again, bringing in that idea of consultation. There's always a check and balance: How's it going? How are we doing? We want to be sure we loop

back and include a vast array of the stakeholders on campus. I think, as a social worker, I would have a different perspective on what's happening in elementary and high schools. A teacher would have a different perspective; a student would have a different perspective, a principal, a custodian, every stakeholder in the group. And when we put those voices together, I think we come out with a policy that's been inspected on all angles to be very effective.

So, my hope is that by ensuring that we bring that input back every three years, we're not leaving something dusty on a shelf. I think we're just building into the process a check and a balance, again, and we're including a line to ensure that all the stakeholders impacted by this, all those who have expertise and perspective are included in that process.

The Chair (Mr. Steve Clark): Further debate? Are members ready to vote?

Ms. Aislinn Clancy: Can I just say one more thing?

The Chair (Mr. Steve Clark): Sure.

Ms. Aislinn Clancy: What I heard from the students, especially those who had experienced anti-Semitism, was that they didn't always go and ask for help, right? So, here they are, experiencing awful anti-Semitism on campus; they're experiencing harassment, name-calling, online abuses, and not all of them went forward and actually spoke to the administration on their campus.

By writing in here that we seek those perspectives out, we're actually preventing further harm. We're ensuring that those who have been silenced—I know, just from sexism experiences, that I didn't always feel empowered to bring up sexism in the face of authorities and in the face of a power imbalance. Who am I to go and speak to the dean of education or whatever at my college or university, right?

So, I think by creating a process where we seek those voices out, we're ensuring that we're always relevant and we're not missing anything.

The Chair (Mr. Steve Clark): Okay, we'll call the question. Do you want another recorded vote?

Ms. Aislinn Clancy: Yes, recorded.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment, also from the independent member, 8.4: MPP Clancy.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by adding the following subsection to section 20 of the Ministry of Training, Colleges and Universities Act:

“Freedom from discrimination

“(2.2) The policies and rules referred to in subsection (2) shall not have the effect of discriminating against marginalized groups or violating the right to be free from discrimination based on any grounds protected under the Human Rights Code.”

The Chair (Mr. Steve Clark): Discussion? MPP Clancy, do you want to speak?

1620

Ms. Aislinn Clancy: Yes. I know that it's kind of implied that this happens, but by stating it outright, we're creating some assurances that peaceful protests will be respected on campuses. I think the worry is that folks who are engaging in peaceful protest might experience discrimination or there will be some silencing of peaceful protests. This is not to say hate is allowed. Hate is never allowed. But we want to make sure that it's very explicit that the policy will not undermine the human rights code and that any population that wishes to engage in peaceful protest will not experience discrimination.

The Chair (Mr. Steve Clark): Further discussion? MPP Sattler.

Ms. Peggy Sattler: We are happy to support this amendment. We read in the written submission from the Council of Ontario Universities that this is a very real concern, especially among the 23 universities in the province, that they could be directed by a ministerial directive to implement a policy on racism and hate that could actually put them in violation with the Ontario Human Rights Code.

Although it should be understood that legislation that is developed in this province, that is debated and considered, is always compliant with the Ontario Human Rights Code, the concern is that the policy, as implemented on a campus, could create this potential conflict. When that happens, there could be costly and lengthy litigation to determine if a violation of the Human Rights Code had occurred or not.

So I think that that spelling out that the policies have to be free from discrimination based on protected grounds under the code is important.

The Chair (Mr. Steve Clark): Further discussion? Are the members ready to vote?

Ms. Peggy Sattler: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment is also from the independent member, 8.5: MPP Clancy.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by striking out subsections 20(3), (4) and (5) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): Discussion? MPP Clancy.

Ms. Aislinn Clancy: I think we've heard loud and clear that the concept of ministerial directives, while well intentioned, goes against the academic freedoms that are enshrined in our universities acts. I think our stakeholders, academics, the students are worried about the independence being undermined. Again, we've let them do their own planning. These are like little countries, little cities that have their own government mechanisms. With this overreach, with the ministerial directives, it creates a concentration of power and undermining and removal of democracy which should worry us. While I know we should trust that the minister will do the right thing, I think it sets us up for a lot of risk—a lot of risk, a lot of court challenges, and I think division and escalation on campuses.

I don't believe that ministerial directives are the right approach. I think there's a way to address hate. There's a way to hold these institutions that receive funds—to create an accountability mechanism that isn't as heavy-handed as I think a directive is. I think that's what I've heard from most of the people who came here today, that the undermining of autonomy and independence of colleges and universities is problematic, and that's what this aims to address.

The Chair (Mr. Steve Clark): Further debate? MPP Sattler.

Ms. Peggy Sattler: We're not opposed to this amendment because we certainly agree that the ministerial directive is a completely inappropriate and potentially dangerous overreach in this bill. The other concern is that there already exist policies to address racism and hate on campus in most, if not all, of our 47 colleges and universities, and there is a concern that a ministerial directive could undermine the work that is already in place, the consultation that was done locally to develop an approach to responding to racism and hate on campus.

What we heard repeatedly was that the problem with both campus mental health services and also campus supports for students who have experienced racism and hate is the underfunding of the offices that are mandated to provide those supports. The issue is a lack of staff to deliver mental health supports for students, in this case to respond to incidents of racism and hate on campus.

Several of the deputants had some excellent ideas for how we could strengthen institutional responses to racism and hate on campus without giving the minister this unilateral power to impose a directive. We don't know what's going to be in it, and we don't know what the consequences are going to be if the minister determines that the college or university hasn't complied. But we have many different tools to address rising incidents of Islamophobia, anti-Semitism, anti-Black racism, anti-Palestinian racism, anti-Indigenous racism. We have those tools. We have the resources—the province has the resources, if they would just fund the services that currently exist.

One of the interesting points that was made by the Centre for Innovation in Campus Mental Health is the intersection between campus mental health services and campus supports for students who have experienced racism and hate. Because being targeted with racism and hate has an impact on a student's mental health, and that's why one of their key recommendations was to fund existing services and programs that already exist on campuses to respond to issues around racism and hate.

The Chair (Mr. Steve Clark): Any further debate? Are members ready to vote on this amendment?

Ms. Aislinn Clancy: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment, from the official opposition, is amendment number 9. MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by adding the following subsection to section 20 of the Ministry of Training, Colleges and Universities Act: "Consultation

"(3.1) Colleges and universities shall consult with students, educators, members of relevant trade unions, experts and community members in developing the policies and rules described in subsection (2)."

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: This is a similar provision that we tried to get the government to support in regard to the student mental health policy. Again, this is a consultation requirement for individual colleges and universities, in developing their policy on dealing with racism and hate, to do a broad consultation with students, faculty, staff, experts and community members.

1630

The importance of consultation was highlighted for us by a number of the deputants who appeared before the committee, including the Alma Mater Society of Queen's University; the Canadian Federation of Students—Ontario; the Centre for Innovation in Campus Mental Health; Conestoga Students Inc.; OPSEU; the Ontario Tech Student Union; OUSA, the Ontario Undergraduate Student Alliance; as well as the USC at Western University.

We heard so often during the public presentations that a policy that is developed without the engagement of those who are most affected by it is basically doomed to failure. You need to involve the people who are on the front lines of accessing the policy, of delivering the policy, of living the policy, and especially when you're talking about a policy regarding racism and hate.

There is a lot of expertise that resides in this province, that resides in local communities that should be tapped into in developing these policies, yet this legislation that we have before us is silent on any kind of consultation, silent on the ministry consulting with the sector, silent on colleges and universities consulting with their local communities and their students, staff and faculty. That's a big problem because if you don't have that consultation, the policy is bound to be ineffective. It can't be the kind of action that is really going to respond to the issues that are present on campus. You need to hear from people about what's going on so that you can appropriately respond.

So I hope the government members, even though they didn't want consultation on the student mental health policy, will agree about the importance of ensuring consultation on the development of a policy on racism and hate.

The Chair (Mr. Steve Clark): Further discussion? MPP Clancy.

Ms. Aislinn Clancy: Yes, I think that this would be the olive branch that would help this bill have success and be well received. We heard from MPP Pierre that there was consultation done. I think this is an opportunity to brag. All it says is, let's write it down, let's report back on who we talked to, how we consulted. To me this is an opportunity for success.

We hear this time and again from people with lived experience, that they don't want policy created about them without them. We know there's massive unconscious bias, especially when we're only speaking with people in positions of privilege. The only way to confront our privilege is by ensuring that we're welcoming in voices that have been marginalized over the course of history. It's important that we address our unconscious bias, especially related to the change and shifting landscape after October 7. We would do ourselves a great good to get rid of the silencing that's happening and by seeking out those voices.

I appreciated how there were many Jewish voices within our consultations that were having a productive conversation together about what anti-Semitism means to them. To me, one of the most powerful moments during our delegations was seeing how we can have a diversity of voices within the religious community and how if we seek out those voices I am optimistic that we will undo some of the garbage that actually comes from our social media algorithms that is actually to blame for, I think, 90% of the hate that's happening on our campuses and in our streets. Every time we see a violent attack, we look back, and that person has dug themselves into a deep hole of social media echo chambers. Do we want to repeat the echo chambers here, in the government? I don't think so.

I think by just stating what I think we agree is happening and should happen going forward, we are doing great work to move forward in a progressive way, to address unconscious bias, to address the silencing and the silos that we know are existing and perpetuating and being exacerbated at this very moment to cause the very hate we're trying to address.

The Chair (Mr. Steve Clark): MPP Grewal.

Mr. Hardeep Singh Grewal: While we appreciate this friendly amendment, as mentioned during the consideration of an earlier amendment today, consultations with the sector regarding the creation of the directive would happen following the passing of legislation. There's also the ability for the directives to contain the requirement that schools work with their campus communities in developing these policies. Therefore, we will be voting against this amendment and will encourage the minister to consider including a similar requirement in the directive.

The Chair (Mr. Steve Clark): Further debate? MPP Sattler.

Ms. Peggy Sattler: I'm surprised by what I just heard from MPP Grewal. If the government agrees that consultation is a good thing, put it in the legislation. Don't say that they're going to recommend to the minister to include it in this ministerial directive that's developed behind closed doors with no transparency.

I am surprised and disappointed, and I really wish the government would reconsider.

The Chair (Mr. Steve Clark): Anything further? Are members prepared to vote?

Ms. Peggy Sattler: Recorded vote.

Ayes

Clancy, G  linas, Sattler.

Nays

Grewal, Kusendova–Bashta, Pang, Pierre, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment is number 10 from the official opposition. MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out subsection 20(4) of the Ministry of Training, Colleges and Universities Act and substituting the following:

“Regulations

“(4) The Lieutenant Governor in Council may, in respect of the colleges and universities described in subsection (1), make regulations,

“(a) setting out processes that shall be followed and persons who shall be consulted in the development and approval of policies and rules under this section;

“(b) governing topics shall be addressed or elements that shall be included in policies and rules under this section;

“(c) governing the provision of training to faculty, staff, students and other persons about policies and rules under this section;

“(d) respecting the publication of policies and rules under this section and the promotion of awareness of the policies and rules;

“(e) governing any other matter that the Lieutenant Governor in Council determines is necessary or advisable relating to policies and rules under this section.”

The Chair (Mr. Steve Clark): I'm sorry to do this to you. Can you just reread section (d) again?

Ms. Peggy Sattler: "(d) respecting the publication of policies and rules under this section and the promotion of awareness of the policies and rules;"

The Chair (Mr. Steve Clark): Thank you. Discussion? MPP Sattler.

Ms. Peggy Sattler: This responds to a request from the Council of Ontario Universities, which represents our 23 publicly assisted universities in the province. It is mirrored after O. Reg. 131/16, and that is the regulation that guided the development of sexual violence and harassment policies on Ontario campuses.

It replaces a ministerial directive process with a regulatory process, which is important because, unlike a ministerial directive, which provides no transparency whatsoever, when there is a regulatory process, there is a requirement that draft regulations be posted, that there be a consultation period, that the public has an opportunity to review the drafts and to provide input.

We heard several deputants talk about the success of the sexual violence and harassment policy process that they followed. Therefore, I hope that the government would move forward with this approach instead of the ministerial directive.

1640

The other important point I want to make about the language of the regulations that are set out here is with regard to 4(c). That is in relation to providing training to faculty, staff, students and other persons about policies and rules. We heard about training with regard to the student mental health policy that's required by this bill, but we heard extensively about the need for training related to the hate and racism requirements of Bill 166. There are real concerns about when freedom of speech becomes racism and hate, so you need to have extensive training so that you understand where that line is between freedom of speech on campus, freedom of assembly on campus, and racism and hate.

Training is always important. It's important for the success of the student mental health policies, but it is particularly important to ensuring that racism and hate policies that are in place on Ontario campuses don't take away students' rights to freedom of speech and freedom of expression while protecting students from racism and hate on campus.

The Chair (Mr. Steve Clark): MPP Clancy.

Ms. Aislinn Clancy: Thank you, MPP Sattler. I think of my time on campus, and we are bringing young people from all over the province, from all walks of life. This is maybe the first time some of them have been out of their postal code, right? We're putting them all together in this mess of people in their twenties, with intense emotions. I think that's why we can be preventive and proactive. I think that's the way to go. We heard from the young people the impact that hate had on them—the damage, the harm, the wounds done by experiencing hate. By providing training, we're actually getting ahead of that.

We're trying to prevent hate before it even happens, before there is harm done.

In my school board, I know in our elementary schools and secondary schools, we have equity policies that collect data, that provide training for staff and students. To me, it has done an excellent job to help folks face the unconscious bias that they bring with them to school and helps them reflect back on what their actions mean to somebody else who has a different lived experience.

Not only do I think that by ensuring we respect the autonomy of schools, but we also write in there the training that would be helpful to prevent hate—but let's fund it as well. I think these things, unfortunately—but fortunately—cost money. If something's really worth it, and I think we all believe that fighting hate is worth it, then we'll put some dollars behind it and we'll hire really awesome people that won't leave because they're on a six-month contract. If you talk to anybody—and I'm sure many of you have heard this. It doesn't matter what sector, whether it's colleges and universities, mental health, health care or industry, labour recruitment and retention is enormous. So by funding it properly and having a good practice in the first place and spelling it out, we're going to crush hate.

The Chair (Mr. Steve Clark): Other comments, discussion? MPP Grewal.

Mr. Hardeep Singh Grewal: As previously mentioned, the ministerial directives are already a tool used by the minister when creating requirements for the sector. It allows policies to be flexible and responsive while also being enforced by the ministry. By moving away from this process, policies around student mental health risk becoming outdated and unresponsive to the needs of students in the future. Therefore, I'll be recommending that we do not support this amendment.

The Chair (Mr. Steve Clark): Any other comments? MPP Clancy.

Ms. Aislinn Clancy: I guess my worry is that by not including the schools in the process of creating the directives, while it creates timeliness and flexibility for the minister, it actually does the very opposite for the schools and colleges. If a minister can say, "Thou shalt," the schools have no flexibility.

I think we're creating a relationship battle with the very institutions that are meant to be your best partners. So I think the "thou shalt" approach is not a bridge-builder. While it does create a lot of nimbleness, responsiveness, ability to do things on a dime, without respecting the governance and process that exists, there could be an impulsive action that's taken that could do a lot of harm to not only the relationships with the actual institutions that are our partners, but also harm done to the students impacted by a directive that might be not done with full process.

The Chair (Mr. Steve Clark): Any further debate? Are members prepared to vote?

M^{me} France Gélinas: Recorded vote.

Ayes

Clancy, G elinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment is also from the official opposition, 10.1. MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out “antisemitism and Islamophobia” in subsection 20(4) and substituting “anti-Semitism, Islamophobia, anti-Palestinian racism and anti-Asian racism”.

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: I’m not going to repeat the comments that I made previously when I tried to get the government to agree that universities and colleges, if they are to have policies on racism and hate, should include anti-Palestinian racism and anti-Asian racism. But I’m just going to say once again, when we look at what happened in 2017, there was a bill, an Anti-Racism Act that talked about the importance of addressing anti-Black racism and anti-Indigenous racism, which we all agreed with. Then it went to committee and there was all-party agreement that we were going to add anti-Semitism and Islamophobia. That happened during a committee process.

The environment changes. What’s happening in the world changes, and we need to ensure that legislation is being responsive to what’s actually happening in our communities. We know that there is an increase in anti-Palestinian racism. We have seen an increase in anti-Asian racism, as well as the increases in anti-Semitism that were shared with us by the Jewish students who appeared before this committee. But we have an opportunity to acknowledge that, to address it, to name it, and I encourage the government to do that.

The Chair (Mr. Steve Clark): Further debate? MPP Pang.

Mr. Billy Pang: For reasons stated in a previous amendment, I recommend we do not support this amendment.

The Chair (Mr. Steve Clark): Any further debate? MPP G elinas.

Mme France G elinas: Just very quickly: We are leaders. We have to name it. We know that it is happening. We know that it is causing harm to Palestinians who live in Ontario, to people of Jewish faith who live in Ontario, to people of Asian heritage who live in Ontario. To name it is a step toward helping them. I feel like we’re letting them down. We are leaders. We have to name them so that they feel included, so that we can take the first step toward saying no to hate, saying no to discrimination.

1650

The Chair (Mr. Steve Clark): Are members prepared to vote?

Mme France G elinas: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote.

Ayes

Clancy, G elinas, Sattler.

Nays

Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost. The next amendment, 10.2, the official opposition: MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out “antisemitism and Islamophobia” in subsection 20(4) and substituting “antisemitism Islamophobia and anti-Palestinian racism”.

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: I am giving the government one final opportunity to acknowledge what we heard from this committee, what we read in the media, what they hear in their communities: that anti-Palestinian racism is real, it is rising, and people are being hurt by it. If we are going to require colleges and universities to have policies on racism and hate, we should be naming anti-Palestinian racism because of the harm that it is causing on campuses.

This is in no way to diminish the anti-Semitic attacks that Jewish students have experienced, the anti-Black racism that Black students experience, the anti-Indigenous racism that Indigenous students experience or the Islamophobia that Muslim students experience. But global realities change, and we need to respond to the fact that young people are being harmed by this. We have an opportunity to do something to address it, and we were asked to make this amendment by the National Council of Canadian Muslims, the national voice of the Muslim community in Canada and a very important representative of Muslims across this province. So I urge the committee, the government, to support this motion.

The Chair (Mr. Steve Clark): Further discussion? MPP Clancy.

Ms. Aislinn Clancy: Because there are things unsaid in the bill, I guess I’ll say, like a lack of clarity about how it will be used, what will happen next, the worry is that if we can’t even say “anti-Palestinian racism” and “anti-Asian racism” in this list right here right now, it does erode the trust that this is going to go well. I think if we can’t say it and we can’t include it in a comprehensive way, there is a worry that it will be a this-or-that going forward when it comes to what kinds of hate are actually recognized and dealt with in the policy, in the bill and in the directives.

It doesn’t build a lot of faith when we can’t say “anti-Palestinian racism,” so I would encourage the government to consider including “anti-Palestinian racism” as a recognition of the realities that are happening right now,

because that will build trust to know that the directives going forward will be inclusive of all students and all of their experiences on campuses.

The Chair (Mr. Steve Clark): Any further discussion? MPP Pang.

Mr. Billy Pang: For reasons stated in the previous amendment, I recommend we do not support this amendment.

The Chair (Mr. Steve Clark): Anything further? Are members prepared to vote?

M^{me} France Gélinas: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote on amendment 10.2.

Ayes

Clancy, Gélinas, Sattler.

Nays

Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

Amendment 11, also from the official opposition: MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by adding the following subsection to section 20 of the Ministry of Training, Colleges and Universities Act:

“Application of charter

“(4.1) The policies and rules described in subsection (2) shall comply with the Canadian Charter of Rights and Freedoms.”

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: There is a lot of concern about what is going to be in the ministerial directives, particularly as they relate to addressing racism and hate on campus. The NCCM came to this committee—the National Council of Canadian Muslims—and made this a suggestion. Given all of the uncertainty, the lack of transparency around these ministerial directives, I agree that we need to build in additional protections for charter rights.

This amendment ensures that the ministerial directives cannot be enforced in such a way that it would infringe on charter-protected rights, including freedom of expression and assembly. I would remind the government members that this is very similar to the requirements of the free speech policies that they mandated for colleges and universities in Ontario. We need to protect students on college and university campuses from racism and hate, but we also need to protect students, staff, faculty and anyone who is part of a campus community from having their charter-protected rights taken away.

This reflects, as well, a big concern of the Council of Ontario Universities, which is concerned about the overreach of the ministerial directives and the potential inconsistency that this could create with that the Ontario Human Rights Code. I urge the government members to

support this amendment, which will enshrine compliance with the Charter of Rights and Freedoms in this bill.

The Chair (Mr. Steve Clark): Discussion?

Mr. Hardeep Singh Grewal: All legislation, by default, needs to comply with the Charter of Rights and Freedoms. As with any directive that stems from legislation, at no time has the minister stated that this will allow anyone to act outside the charter. In fact, this legislation would work better to uphold the rights of students, staff and faculty. Therefore, we’re recommending not to vote in favour of this amendment.

The Chair (Mr. Steve Clark): Further discussion?

M^{me} France Gélinas: All that this amendment is doing is that we are putting in writing the intentions that are there. You have to realize that people sometimes have doubts as to a government’s intentions, and to put it down in writing just makes sure that you have a good relationship moving forward. You have no intention of going against the Canadian Charter of Rights and Freedoms? Put it in writing. Put that issue to rest and give people who have doubts a sense of security that they have been heard. They know that you have no intention of going against the Canadian Charter of Rights and Freedoms if you actually put it in writing. That’s all we’re asking to do.

The Chair (Mr. Steve Clark): Further?

Mr. Hardeep Singh Grewal: I believe that was made clear when the charter was written: No legislation will be written against the charter itself. Again, therefore, we recommend not to vote in favour of this motion. We thank you for bringing this forward.

The Chair (Mr. Steve Clark): Further debate?

Ms. Aislinn Clancy: I just want to point out that we are saying this doesn’t need to be in here because it’s implied; it’s duplication. This bill is doing that very thing of creating red tape for colleges and universities.

I want accountability too. I want to be sure that they have mechanisms to combat hate on campus, and I want to make sure that we provide colleges and universities with the resources to combat hate on campus. But the feedback we hear from colleges and universities is that they have these mechanisms in place, but they’re underfunded. But the reporting that will be asked of colleges and universities will ultimately lead to kind of a budget cut, because that’s a lot of staff time and energy to report data based on that.

So I think the concern and the feedback we have from colleges and universities is that this very bill is a duplication of what already exists. If we want this bill to be put out there to ensure that it’s in writing and that there’s legislation to hold everyone accountable and make sure that’s happened, that’s what we’re asking here as well.

The Chair (Mr. Steve Clark): Anything further? Are members prepared to vote?

1700

M^{me} France Gélinas: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost. The next amendment is amendment number 12 from the official opposition. MPP Sattler.

Ms. Peggy Sattler: Withdraw, Chair.

The Chair (Mr. Steve Clark): Withdrawn.

The next amendment is 12.1.

Ms. Peggy Sattler: Withdraw.

The Chair (Mr. Steve Clark): Thank you.

Amendment number 13, the official opposition: MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out clause 20(5)(b) of the Ministry of Training, Colleges and Universities Act and substituting the following:

“(b) specify steps, other than removing funding, that the minister intends to take if, in the opinion of the minister, a college or university fails to comply with subsection (2) or the directive.”

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: The student organizations that appeared before the committee—many of them—made this recommendation, identifying that, in many cases, an institution’s lack of responsiveness to incidents of racism or hate on campus is related to the lack of funding that institutions have been trying to deal with over many years.

Therefore, when you have inadequate responses to racism and hate because institutions aren’t receiving the funding that they need to respond appropriately, it makes no sense to remove funding when those responses aren’t providing the protections that students need.

We heard repeatedly from deputants to this committee that the best way to deal with racism and hate on campus is to fund services, is to fund training, is to engage campus communities in developing effective, responsive policies. So that’s why we have moved this amendment, just as we moved it for the student mental health policy, because we agree with the student organizations that removing funding is not going to do anything to help the students who have been targeted by racism or hate on Ontario campuses.

The Chair (Mr. Steve Clark): Further discussion? MPP Clancy.

Ms. Aislinn Clancy: I do feel that the tool of removing funding doesn’t actually address the root causes of what’s actually happening on the campus. I think there are better tools in the tool box when it comes to actually addressing root causes. Usually, it’s messier; usually, it takes longer. It involves a lot of work and discussion and education. But I think removing funding is a heavy-handed approach that I don’t think actually does anything to address the root causes of why the hate policies or practices or accountability measures aren’t being effective on campus.

To me, consequences should fit the crime. If there’s an inadequacy for some reason at a college or university to

actually address hate that’s happening on their campus, the way to do that is help them improve their practices, not by taking away their dollars to function.

The Chair (Mr. Steve Clark): MPP Grewal.

Mr. Hardeep Singh Grewal: As previously mentioned, the ministry has a duty to ensure that schools are upholding their responsibility to students, to ensure that policies like those around mental health are followed and students are supported.

Funding agreements are legal contracts between schools and the ministry, and schools have a duty to ensure that all the funds used are used as intended, as would be in the case of mental health. Removing the ability for the minister to ensure dedicated mental health dollars are being spent to support student mental health resources or supports and not on other institutional costs would go against the principle of supporting students and weaken any directive aimed at protecting and supporting their mental health. I therefore recommend voting against this particular amendment.

The Chair (Mr. Steve Clark): Further discussion? Are members prepared to vote?

M^{me} France Gélinas: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost. The next motion, number 14, from the official opposition: MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out subsection 20(5) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: This is the section of the bill that allows the minister to determine what topics shall be addressed in a college or university’s anti-hate-and-racism policy. It allows the minister to determine what elements are to be included and it allows the minister to specify what steps will be taken if, in the minister’s opinion, the college or university has failed to apply. And as we have noted throughout the day, there is a very serious concern about the unprecedented overreach that is represented in this bill by its giving the minister this unilateral authority to dictate the contents of the policies that are required on campus.

When it comes to a policy around racism and hate, the concern about this ministerial power is particularly sensitive, because as the Council of Ontario Universities points out, it’s not only the legislated self-governing provisions that are granted to universities in the universities acts that could be overridden by this ministerial power, but it is also the initiatives that are already under way on

campus, the programs that are already in place. So a ministerial directive could require a college or university to adopt particular definitions of racism or hate that are not in the best interests of the students at that institution, are not in the best interests of the faculty and staff. In fact, it could create a conflict with the Ontario Human Rights Code.

Imposing these directives on the anti-racism-and-hate policy could really jeopardize the work that has been going on for years, actually, in the college and university sector to ensure that there are effective ways to respond to racism and hate. And what we heard repeatedly was that it's not a problem with a lack of policy; the issue is lack of resources. It's the lack of staff. It's the lack of dollars to do the widespread training that is required.

I hope that the government will agree that the ministerial authority is an override of the self-governing framework of the universities act. The Premier certainly seemed to agree last Thursday, when he said that he thought the bill goes too far because universities have the autonomy to govern themselves. And so I hope the government members who are here today at this committee will do the right thing and remove that ability of the minister to issue these directives and impose penalties on colleges or universities if she decides that they haven't complied.

1710

The Chair (Mr. Steve Clark): MPP Clancy.

Ms. Aislinn Clancy: I want to echo MPP Sattler that, without money, what is possible? We know that when equity work was mandated on secondary schools and elementary schools, no money was given. So that money comes from special education. It comes from capital. It comes from other places that also are under-resourced already. I always like to say, when dishes magically end up clean at my house, that there's no magic. There's no fairy. Somebody had to do that.

I urge the government: We heard that there was funding for mental health; I didn't hear funding for anti-hate work. I do believe that if we expect universities and colleges to do this work—and I think they are doing it, and they're probably just beg, borrowing and stealing from other parts of their budget to make it happen. But if we don't add money to that, it's a set-up. It's a set-up because there are no fairies; there is no magic.

I want to remind this government that we fund our colleges at 44% of the average—not 44% of the best funded, not 44% of whatever. Forty-four per cent, so less than half of the average across Ontario, is the amount that we give to our colleges and universities. I want to ask, if this goes forward and we really want to resource an anti-hate project that is successful and does what we want it to do, that we ensure that there's money attached to that. Because there are no fairies and there is no magic.

If I may, I'm going to ask MPP Pierre: I know you shared with us that you—may I do that, through the Chair?

The Chair (Mr. Steve Clark): Through the Chair.

Ms. Aislinn Clancy: I want to ask you—because I know there was a lot of backlash at University of Waterloo when a student attacked a professor and students in a

gender studies class. This was a stabbing that happened within the last six months on a university campus in the region and the riding beside mine. I know that students had feedback about what needs to be done. Professors had feedback about what was lacking on campus to prevent these incidents from happening. I ask MPP Pierre: When you had your consultations, did you hear from stakeholders on campuses what they needed in order to combat hate?

The Chair (Mr. Steve Clark): MPP Pierre, go ahead.

Ms. Natalie Pierre: Through you, Chair, the consultations took place before that time.

Ms. Aislinn Clancy: Okay. I hope that, going forward, you can ask those folks, because we had newspaper articles in our Record with statements and lived experiences of people who said, "I tried. I did this. This happened. This was a real thing that led before that attack." People said, "I know why this attack took place, because I was trying to get these other things done on my campus." My hope is that we can ask that question, because I think folks really are mobilized and motivated to address this with you, and I hope that that takes place. But I want to urge the government, once this has passed, to earmark some dollars to make sure that we don't have to have bake sales to ensure that we have an anti-hate department that's effective.

The Chair (Mr. Steve Clark): MPP Grewal.

Mr. Hardeep Singh Grewal: Without this subsection of the bill, there would be a lack of clarity about the intent of the legislation, what would be contained in a directive and how it would be carried out. As such, we'll be voting against this particular amendment.

The Chair (Mr. Steve Clark): Any further discussion on amendment 14? Are members ready to vote?

M^{me} France Gélinas: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment, 14.1, is from the independent member. MPP Clancy.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by adding the following subsection to section 20 of the Ministry of Training, Colleges and Universities Act:

"Requirements re minister's directive

"(5.1) The minister shall ensure that any directive issued under subsection (4),

"(a) does not discriminate against marginalized groups;

"(b) does not violate the right to be free from discrimination based on any grounds protected under the Human Rights Code;

“(c) does not violate the right to freedom of expression;

“(d) does not interfere with the academic freedom to criticize systems, governments and other institutions in a way that does not include hate speech;

“(e) does not interfere with peaceful protests that do not involve hate speech; and

“(f) is issued only for the purpose of promoting more transparency and accountability as part of a fair, collaborative and transparent consultation process that maintains the independence of every college or university described in subsection (1).”

The Chair (Mr. Steve Clark): Discussion?

Ms. Aislinn Clancy: I know we are probably chasing our tails, but we are just trying to be very explicit, because there is a lack of understanding of what’s to come. This just puts a few parameters in place to ensure that the minister’s good intentions are documented. We are trying to strike a balance between protecting young people’s feelings of safety and inclusion and the need to have a free system where people can criticize and protest.

My hope is that we see that criticism is good. Feedback is important. This messy, uncomfortable dialogue, if we can sit in the mud, leads to a flower. I hope that by including some of these uncomfortable elements of campus that I think are important and part of growth—I think that’s where young people find their voice. If we silence them during these formative years, I think we will miss out on some politicians that could be leaders of tomorrow. If we can let them organize, let them speak, let them stand up for what they believe in and create protections to ensure that that is going to be safe going forward, I think we’ll be better off. Thank you.

The Chair (Mr. Steve Clark): MPP Grewal?

Mr. Hardeep Singh Grewal: For reasons stated previously, I would recommend not voting in favour of this. I would recommend voting against this.

The Chair (Mr. Steve Clark): Further debate? MPP Clancy.

Ms. Aislinn Clancy: We’ll recommend that we vote against this—no, I’m just teasing.

I just want to reiterate that I think if we can maintain the independence of post-secondary institutions, we will not be picking a fight that could cost taxpayers lots of money.

The Chair (Mr. Steve Clark): Anything further? MPP Sattler?

Ms. Peggy Sattler: This has been an interesting day. I think we are doing everything we can to try to bring some transparency to this legislation and to try to put some reasonable safeguards on the power that this bill gives the minister through ministerial directives.

We support this amendment. It speaks to some of the concerns that were raised when deputants appeared before this committee about the possibility of a ministerially imposed policy on racism and hate infringing upon freedom of speech and institutional autonomy. So yes, we support this amendment, and we hope the government will too.

The Chair (Mr. Steve Clark): Anything further? Are members ready to vote?

Ms. Aislinn Clancy: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment is also from the independent member, number 14.2. MPP Clancy.

Ms. Aislinn Clancy: I’m probably working against my climate goals by having so much paper printed. That’s the rub.

I move that section 2 of the bill be amended by adding the following subsections to section 20 of the Ministry of Training, Colleges and Universities Act:

“Advisory committee

“(5.2) The minister shall, no more than 90 days after this section comes into force, establish an advisory committee on policies and rules to address and combat racism and hate at postsecondary institutions to help develop the policies and rules described in subsection (2).

“Composition

“(5.3) The advisory committee on policies and rules to address and combat racism and hate at postsecondary institutions shall be composed of members appointed by the minister.

“Same

“(5.4) The minister shall ensure that the advisory committee on policies and rules to address and combat racism and hate at postsecondary institutions includes members from diverse backgrounds, including racialized and religious students, faculty members, staff members, administrators and community leaders.”

1720

The Chair (Mr. Steve Clark): Discussion? MPP Clancy.

Ms. Aislinn Clancy: Yes. Again, this is enshrining that we have voices from marginalized communities, folks with lived experience that help support the work of this ministry.

I think there’s lots of willing partners. We saw so many people who came here from hours and hours away. Young people at Queen’s, for example—I can’t imagine how much it cost them to get here. They want to be part of this.

I think the composition really matters. We want to make sure that we’re not silent or ignorant to certain people’s experiences. So that’s important.

I know, from my own experience, the way I’ve included equity in my own life is having people at my kitchen table. I take the kitchen table approach to equity every day of the week. You can read a book, you can look at a newspaper

article, but if you bring people to a table, it's so powerful. We call it deep canvassing. That's when you really get into the depth of what someone's identity means to them, what impact their experiences has had on them.

I think, by creating a committee—these are the very committees that existed. This Anti-Racism Act, the standing committees that existed in the past—I think when we got rid of those, we didn't get those voices as much anymore. I know we have diverse caucuses. I know your party talks a lot about being a very diverse caucus. We're asking for a diverse caucus in the formation of these policies. So you're echoing your values by writing it down and doing it. I know you say you will, and you're going to buy me all coffees if you don't.

But the way that we make sure things happen—I think that's why we're doing this today—is by writing it down in legislation. The whole premise of anti-hate and mental health supports is to make sure it happens across campus. Let's just go one step further and make sure that we consult, we collaborate and we include all voices in this policy.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: For reasons previously said during debate, I would recommend not voting in favour of this amendment.

The Chair (Mr. Steve Clark): Further debate? MPP Sattler.

Ms. Peggy Sattler: We have no issues with this amendment. In the absence of a consultation process with the local communities and the development of institutional policies on racism and hate, it makes sense, to some extent, to create an advisory committee to inform the development, or to inform the implementation, at least, of the policy.

Particularly around racism and hate, there is a real need to ensure that those who are most likely to experience racism and hate are involved in the development of policy. It's important to talk to people who have tried to report incidents of racism and hate and understand how the system let them down, where were the gaps, and what could be done to have ensured that they felt better supported.

This advisory committee, while it doesn't replace formal requirements for consultation, goes a little step further to ensure some accountability and engagement with the people that are most directly affected by this policy on our post-secondary campuses.

The Chair (Mr. Steve Clark): Further debate? Are members prepared to vote?

Ms. Aislinn Clancy: Recorded.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

Now we are at the section that I mentioned at the start of our deliberations this afternoon. The new order for these amendments will be 15, 16.2, 16, 16.1 and then 17.

We will look to the official opposition to move amendment 15.

Ms. Peggy Sattler: Withdraw.

The Chair (Mr. Steve Clark): Withdraw. Okay.

Which now means we move to 16.2. That is MPP Clancy's motion.

Interjection.

The Chair (Mr. Steve Clark): We'll go to the next one, which is 16. MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out "five years" in clause 20(7)(b) of the Ministry of Training, Colleges and Universities Act and substituting "two years".

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: Similar to the amendment that we introduced around student mental health policy, this amendment requires a much shorter review period for the campus policies on racism and hate. The student organizations who spoke to the committee talked about the changing demographics of campus, the changing realities of what's happening in communities and the need for policies to be responsive to those changes. That's why they had recommended the more frequent review periods so that the policy would be reviewed every two years instead of every five years. That is something we can certainly agree with.

The Chair (Mr. Steve Clark): Discussion? MPP Grewal.

Mr. Hardeep Singh Grewal: For reasons previously discussed, it will be our motive not to support this amendment. Thank you.

The Chair (Mr. Steve Clark): Further debate? MPP Gélinas.

M^{me} France Gélinas: Unfortunately, targets of racism and hate change and come quickly. To wait for five years before those policies are reviewed is too long. To mandate a review every two years can happen quickly, but those are the kinds of policies that have to be looked at on a regular basis, because the targets of hate—the target of racism, unfortunately, is still very alive in Ontario, but changes frequently.

The Chair (Mr. Steve Clark): Further debate? Are members prepared to vote on this matter?

M^{me} France Gélinas: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote on amendment 16.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Laura Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment is 16.1. It's from independent member Clancy.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by striking out “once every five years, or earlier as may be specified in a directive under subsection (4), and amend” and substituting (once every five years and amend the policies and rules as appropriate) in clause 20(7)(b) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): Starting at the second line—the whole thing; please can you read the whole thing? There was just—

Ms. Aislinn Clancy: Read the whole thing again? Sure.

The Chair (Mr. Steve Clark): There was just one piece that I just want to get clarity on.

Ms. Aislinn Clancy: Okay.

I move that section 2 of the bill be amended by striking out “once every five years, or earlier as may be specified in a directive under subsection (4), and amend” and substituting “once every five years and amend the policies and rules as appropriate” in clause 20(7)(b) of the Ministry of Training, Colleges and Universities Act.

1730

The Chair (Mr. Steve Clark): Thank you, MPP Clancy. Discussion?

Ms. Aislinn Clancy: From what I hear, this policy is meant to give more flexibility. What I hear is that we need to be responsive; we need to be flexible; we need to be addressing issues as they arise. This reiterates that and creates more opportunities for that flexibility and responsiveness.

The concern here is the ministerial directive that will have political interference on campus. This could stymie academic freedom and independence. We know academia is all about debate. People like to argue. My partner did his PhD, and I'd wish he would go away because he just wanted to argue every day when he came home and I had had enough of debate. But over there, they seem to love it, and I'll let them do that there; we'll do our version of it here. But they love debate. They love this academic freedom to be critical for the sake of being critical. It's like it's part of their genetic DNA; I'm not sure.

But I think it's also part of why we have them there. Academia is there to challenge us every step of the way, and that academic freedom and independence is really essential to why they exist and why they thrive. I think if we went across the world, and we saw academic institutions that didn't have that academic freedom, they lose all their validity. I think it's because of political interference in countries where they don't have academic freedom—that political interference has stymied even the ability of academics in that country to do the work that they want to do, to be taken seriously outside of their country.

So on one hand, I know U of T is one of the top five institutions worldwide. We're recognized for having colleges and universities that are known for excellence. I think the directives and the lack of independence and the

political interference in this actually go a long way to undermine the integrity, the value and the reputation of our colleges and universities that exist globally.

Thank you.

The Chair (Mr. Steve Clark): Thank you, MPP Clancy. Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: For reasons previously discussed, I would recommend not supporting this amendment. Thank you.

The Chair (Mr. Steve Clark): Thank you, MPP Grewal. Further debate? No? Unless you want something further, MPP Clancy.

Ms. Aislinn Clancy: Yes, actually. Just so you're aware, academic freedom has been shown to be linked to the quantity and quality of patents from the country. I know that even in U of T, where my partner went to school forever, the patents that they developed there were their capital. That was the value and worth of their departments. So if we don't have our academic freedom, we don't have a quantity and quality of patents as a nation. This is going to stifle innovation in our country because of limiting academic freedom.

I know that we don't always look as far ahead. We're always thinking of now or the next election cycle. But I think if we can do some deeper digging, we can see that there could be pretty severe economic impacts to our colleges and universities and our innovation sector. This is what we're known for. People buy up our start-ups left, right and centre because we have awesome patents. They want them, and they make tons of money off of them. Don't get me started, but I think—

The Chair (Mr. Steve Clark): I'll try not to.

Ms. Aislinn Clancy: Yes, I know. You probably want to make me finish so we can go eat supper. I appreciate that.

But this statistic comes from a scan of 157 different countries, so I think we need to really press the pause button on any threats to academic freedom, knowing that it could have impacts on innovation and our economic development.

The Chair (Mr. Steve Clark): Any further debate? Are members ready to vote? All those in favour, please raise your hand. All those opposed? Motion lost.

We'll now move to amendment 17, the official opposition. MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by adding the following subsection to section 20 of the Ministry of Training, Colleges and Universities Act:

“Evaluation by Ontario Human Rights Commission

“(7.1) The minister shall request that the Ontario Human Rights Commission evaluate the policies and rules under this section of every college and university.”

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: Even if the government refuses to include protection for the Human Rights Code in the legislation, we would encourage them to at least be willing to ensure that college and university policies on racism and hate are sent to the Ontario Human Rights Commission for evaluation and review prior to implementation.

As I have stated, there are very, very real concerns about possible conflicts between the policy on racism and hate that is directed by the minister and compliance with the Ontario Human Rights Code. So having this evaluation before the policy is implemented would hopefully forestall any potential lengthy court proceedings if there is a view that the policy on racism and hate conflicted with an individual's rights under the Human Rights Code.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: While we appreciate the intent of this amendment, this sort of review mechanism could be outlined in the directives and does not need to be explicitly put into legislation. Additionally, all existing policies would already have to be aligned with the Ontario Human Rights Code, as would any policy moving forward. It's for these reasons that I recommend voting against this amendment.

The Chair (Mr. Steve Clark): Discussion? MPP Clancy.

Ms. Aislinn Clancy: My worry, and maybe these are the worries echoed by our delegations, is that a directive that could be implemented could exacerbate the very thing that we're intending to combat. We're intending to combat hate, but we've seen today how issues brought forward that create division actually do the opposite of what we intend.

All we're doing is we're adding in a little layer of pause, a little safeguard, so that any directive coming forward has a moment of hesitation—I don't know how long it takes them to do these reviews, but maybe a month. But a month to prevent us from actually having the pendulum swing farther away from where we want it to go.

This is my worry; this is what I anticipate. While we are well intended to curb harm, any efforts done in a way that doesn't have good process or oversight will do the exact opposite.

The Chair (Mr. Steve Clark): Is there any further debate on motion 17? Are members prepared to vote on this amendment?

Ms. Peggy Sattler: Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn.

The Chair (Mr. Steve Clark): I declare the motion lost. The next amendment, amendment 18, is from the official opposition. MPP Sattler.

Ms. Peggy Sattler: I move that section 2 of the bill be amended by striking out subsection 20(9) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): Discussion? MPP Sattler.

Ms. Peggy Sattler: Subsection 20(9) is the section of the bill that exempts the legislation from the requirements of the Legislation Act. The Legislation Act is important to

provide some degree of transparency in the decisions that are made by this government.

There's a public review process under the Legislation Act, 2006. This section of the bill says that that public review process does not apply to a directive that is issued by the minister under this section under the policy on racism and hate.

1740

The Chair (Mr. Steve Clark): Discussion?

Mr. Hardeep Singh Grewal: This is standard Ontario legislative terminology. If removed, there could be uncertainty about whether part III of the Legislation Act, 2006, applies to the directive. Therefore, we will not be supporting this amendment.

The Chair (Mr. Steve Clark): Further discussion? Are members ready to vote on amendment 18?

M^{me} France Gélinas: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn.

The Chair (Mr. Steve Clark): I declare the motion lost. The next amendment, 18.1: It's the independent member's motion. MPP Clancy.

Ms. Aislinn Clancy: Independents in motion.

I move that section 2 of the bill be amended by adding the following subsection to section 20 of the Ministry of Training, Colleges and Universities Act:

“Interpretation

“(10) This section shall be read in accordance with the Canadian Charter of Rights and Freedoms and the principle of academic freedom.”

Interjection.

Ms. Aislinn Clancy: I know, sorry. I think there was a typo. Do you want me to read it as it is?

The Chair (Mr. Steve Clark): Just read the correction into the record, without those—

Ms. Aislinn Clancy: I did read it without the typo. Is it okay to just read it without the typo or do you need me to say something specifically?

The Clerk of the Committee (Ms. Lesley Flores): Can you just read it again without the typo?

Ms. Aislinn Clancy: Without the typo?

The Clerk of the Committee (Ms. Lesley Flores): Yes.

The Chair (Mr. Steve Clark): Just read it again.

Ms. Aislinn Clancy: I move that section 2 of the bill be amended by adding the following subsection to section 20 of the Ministry of Training, Colleges and Universities Act:

“Interpretation

“(10) This section shall be read in accordance with the Canadian Charter of Rights and Freedoms and the principle of academic freedom.”

The Chair (Mr. Steve Clark): Discussion?

Ms. Aislinn Clancy: I know this is probably annoying, to have so many amendments, but I assure you, they are well intentioned. We are trying to write in a few safeguards in here—a little bubble wrap on the car—to make sure that we can stay a course. I think we all agree that we want to reduce racism and hate on campuses; we want to improve student mental health. All this is about explicitly stating the parameters within which we make these policies.

The Chair (Mr. Steve Clark): Further debate?

Mr. Hardeep Singh Grewal: For reasons previously stated, I would recommend not supporting this amendment.

The Chair (Mr. Steve Clark): Further debate?

Ms. Peggy Sattler: We support this amendment. We tried to introduce our own amendment to enshrine the protection of charter rights and freedoms, which was not supported by this government. But we will try again and support this amendment and see what happens.

The Chair (Mr. Steve Clark): Anything further? The members look like they’re prepared to vote. All those in favour, please raise your hand—

Ms. Aislinn Clancy: Recorded vote.

The Chair (Mr. Steve Clark): A recorded vote, okay. All those in favour, please raise your hand.

Ms. Aislinn Clancy: Recorded vote.

The Chair (Mr. Steve Clark): It’s too late. Sorry. You’ve got to do it before the vote.

All those opposed? Motion lost.

However, you will get a second chance: 18.2 from the independent member. MPP Clancy.

Ms. Aislinn Clancy: The joy of so many amendments: We always get another chance.

I move that section 2 of the bill be amended by adding section 20.1 to the Ministry of Training, Colleges and Universities Act:

“Mandatory training

“20.1 Every college or university described in subsection 19(1) or 20(1) shall require its student, staff members and faculty members to complete trauma-informed anti-racism, anti-homophobia and anti-ableism training in order to enhance cultural sensitivity.”

The Chair (Mr. Steve Clark): Discussion?

Ms. Aislinn Clancy: I don’t know if you’re allowed to, but raise your hands if you’ve gone to training.

The Chair (Mr. Steve Clark): You can raise your hands when you vote.

Ms. Aislinn Clancy: There you go. I want to put a weight on my hand, so I at least get a workout today, of one arm.

But yes, in my experience, training is a powerful opportunity to prevent hate. We could police all we want, but if we don’t get to the root causes of why this is actually happening, we will do little to prepare young people to prevent themselves from acting out in hateful ways. Just like I want to prevent young people from experiencing

hate, I also want to prevent young people from perpetuating hate. There are huge consequences—criminal consequences, academic consequences, consequences to the future of their careers—if they act out hate in a way that is because they are ignorant of what they are doing.

The way we make growth in our community, the way we lift all boats, is by having conversation, learning from the experts and the pros. I have had my brain rewired on a regular basis by participating in trauma-informed and culturally sensitive training, and I’m so grateful for that. Maybe I got to do it because I was a social worker. I’m not sure of everybody’s career backgrounds and whether that was something that took place at the time. It is happening now all the time, on a regular basis.

So let’s make it possible. Let’s give access to every person on campus. We do this in orientation week. I was an orientation week leader—don’t look it up; I’m not online. Thankfully, it was before smartphones. But we do so much in that first week of undergrad to tell people where to buy their books, to help orient them to where they can get health care, where they can get supports in their dorms. We do a lot to prevent sexual violence.

Let’s take that same approach that we know works. Let’s get ahead of hate—you can quote me on that—and let’s make sure that we offer good training on a regular basis to all stakeholders on campus to prevent acts of hate but also to rout it out. If you don’t know the telltale signs of people who are going to act out hate—just as in the way people become suicidal, we’ve trained a whole swath of people across this province on how to identify folks who are facing suicidal ideations. We can do the same with hate by creating blanket training programs that cover all aspects of student life and that would do wonders to prevent acts of hate from taking place on campus.

The Chair (Mr. Steve Clark): MPP Grewal.

Mr. Hardeep Singh Grewal: For reasons discussed in previous discussions, we will not be supporting this amendment.

Ms. Aislinn Clancy: Recorded vote.

The Chair (Mr. Steve Clark): I hear recorded vote.

Yes, MPP Sattler, and then MPP Gélinas.

Ms. Peggy Sattler: I just wanted to express support for a mandatory training provision in this bill. We heard that repeatedly from deputations to the committee, particularly around the absolute fundamental need for culturally responsive policies and services and how vital that is for students to feel supported, to feel heard, to feel able to disclose the experience they have had on campus with racism or hate or with student mental health. Mandatory training is a necessary component of achieving those culturally responsive services that students need in Ontario colleges and universities.

The Chair (Mr. Steve Clark): MPP Gélinas.

M^{me} France Gélinas: My colleague pretty much said what I was going to say. We support this. Mandating training is a step in the right direction. It will help. It will change things for the better.

The Chair (Mr. Steve Clark): Are we prepared to vote? A member has asked for a recorded vote.

Ayes

Clancy, Gélinas, Sattler.

Nays

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Dave Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment, number 19: MPP Sattler.

Ms. Peggy Sattler: Withdraw.

The Chair (Mr. Steve Clark): Withdrawn.

The next amendment is amendment number 20, from the official opposition.

Ms. Peggy Sattler: Withdraw.

The Chair (Mr. Steve Clark): The next amendment, number 21: the official opposition.

Ms. Peggy Sattler: Withdraw.

The Chair (Mr. Steve Clark): The next amendment, number 22.

Ms. Peggy Sattler: Withdraw.

The Chair (Mr. Steve Clark): The next amendment, number 23: the official opposition.

Ms. Peggy Sattler: Withdraw.

The Chair (Mr. Steve Clark): Shall section 2 carry?

Ms. Peggy Sattler: No.

The Chair (Mr. Steve Clark): All those in favour?

Ms. Aislinn Clancy: Recorded vote.

Ayes

Grewal, Kusendova-Bashta, Pang, Pierre, Quinn, Dave Smith.

Nays

Clancy, Gélinas, Sattler.

The Chair (Mr. Steve Clark): Carried.

The next amendment in section 3 is 23.1, the official opposition. MPP. Gélinas.

M^{me} France Gélinas: I move that section 3 of the bill be amended by striking out subsection 21(2) of the Ministry of Training, Colleges and Universities Act and substituting the following:

“Regulations

“(2) The Lieutenant Governor in Council may, in respect of the colleges and universities described in subsection (1), make regulations respecting the information to be provided about the costs associated with attendance at the college or university.”

The Chair (Mr. Steve Clark): Discussion? MPP Gélinas.

M^{me} France Gélinas: We—

Interruption.

The Chair (Mr. Steve Clark): As there is a division being called in the House, I must suspend the committee meeting at this time to enable members to make their way

to vote. I ask members to return promptly, but given the fact that it’s 5:53, I propose that we recess until 6:30. Agreed? Recessed until 6:30.

The committee recessed from 1753 to 1830.

The Chair (Mr. Steve Clark): Good evening, everyone. We will resume clause-by-clause consideration of Bill 166.

When we adjourned, the opposition motion to section 3, 23.1, had been moved and we just started debate. So, MPP Gélinas, do you want to continue?

M^{me} France Gélinas: Yes, please. Did I finish reading it?

Mr. Dave Smith: Yes, MPP Gélinas.

M^{me} France Gélinas: I did?

Mr. Dave Smith: He just asked you if you have any comments.

M^{me} France Gélinas: You have a better memory than I do. Thank you.

The way that the bill reads right now is, under section 21(2), “The minister may, from time to time, issue directives to one or more colleges or universities described in subsection (1) in relation to the information to be provided about the costs associated with attendance at the college or university.”

What the motion would do is we would change this to the Lieutenant Governor in Council that may, basically, do very similar to what the minister—this change is to bring greater transparency; to change what, in the bill, are directives, to make it into regulations that would come from the Lieutenant Governor to ensure that there is transparency.

We’re talking about costs associated with attendance at the college and university. People are interested in knowing those costs, and knowing why they’re going up, why they’re going down, why they’re staying the same. The more transparency we have, the more confidence people have in our post-secondary education system, so that’s why we brought those changes forward.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: For reasons previously discussed, I would be recommending everyone not to support this amendment.

The Chair (Mr. Steve Clark): Any further debate? Are members prepared to vote?

M^{me} France Gélinas: Recorded vote.

Ayes

Gélinas.

Nays

Gallagher Murphy, Grewal, Kusendova-Bashta, Pang, Quinn, Dave Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next motion, 23.2, the official opposition: MPP Gélinas.

M^{me} France G elinas: I move that section 3 of the bill be amended by adding—do I have to say something about les guillemets? I don’t know how to say this in English.

The Clerk of the Committee (Ms. Lesley Flores): Quotation marks?

M^{me} France G elinas: Quotation marks, sorry—be amended by adding “or to students” after “to the public” in clause 21(3)(a) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): Discussion? MPP G elinas.

M^{me} France G elinas: Basically, what we’re trying to do with this is very simple. Right now, the bill says that the minister may, in a directive, “specify information that a college or university must provide to the public about the costs and the manner in which it must be provided as of a specified date.” All we’re asking is that that information be provided to the public or to students.

A university has many ways to communicate with students that are different than the ways that they communicate with the public. Most people who register at a college or university will have an email; they will have platforms where they’re able to communicate with the leadership and the administration of their college or university. And what we’re asking in this is very simple: that this information not only be provided to the public in the way that the public may gain access to that information, but also be provided to the students, given that there are many easy platforms for a college or university to share that information directly with the students, who would probably be the ones most interested in that information.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: As students are already members of the public, there’s no need to further specify in, and it could cause confusion about what information would be public compared to those shared with students. Should there be need for some information to be reserved for students alone, this can be handled through a directive.

I’ll be recommending not to support this amendment.

The Chair (Mr. Steve Clark): Further debate? MPP G elinas.

M^{me} France G elinas: That’s not what the amendment asks for. The amendment doesn’t ask for information to just be available to the students; it’s the opposite. The amendment asks for the specified information that a college or university must provide to the public—we would add “or to the students” about the costs and the manner in which it must be provided. As I said, it’s really to take advantage of some of the communication channels that exist for students that do not exist for the rest of the public. That’s all.

The Chair (Mr. Steve Clark): Further debate? Are members prepared to vote?

M^{me} France G elinas: Recorded vote.

Ayes

G elinas.

Nays

Gallagher Murphy, Grewal, Kusendova-Bashta, Pang, Quinn, Dave Smith.

The Chair (Mr. Steve Clark): I declare the motion lost. The next amendment: again, the opposition, 23.3. MPP G elinas.

M^{me} France G elinas: I move that section 3 of the bill be amended by striking out clause 21(3)(b) of the Ministry of Training, Colleges and Universities Act and substituting the following:

“(b) specify steps, other than removing funding, that the minister intends to take if, in the opinion of the minister, a college or university fails to comply with the directive.”

The Chair (Mr. Steve Clark): Debate? MPP G elinas.

M^{me} France G elinas: Here we’re in the part of the bill that talks about the content. Basically, if the minister is not satisfied with the content of the policies that have been developed, we want to make sure that the funds allocated, whether for mental health or for preventing hate and discrimination, are not taken away. We’re not opposed to the ministry taking steps if the policies that have been developed are not in line with the end goal that the minister wants, but we would like to know that there would be other steps than solely removing funding. Removing funding for mental health support, removing funding to push against hate and discrimination I don’t think would be a wise move. But we would like to see it in writing that there would be other ways for the ministry to enforce the policies that they want.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: For reasons mentioned previously, I would be recommending not to support this motion.

The Chair (Mr. Steve Clark): Further debate? Are members ready to vote?

M^{me} France G elinas: Recorded vote.

Ayes

G elinas.

Nays

Gallagher Murphy, Grewal, Kusendova-Bashta, Pang, Quinn, Dave Smith.

The Chair (Mr. Steve Clark): I declare the motion lost. We’ll now move to opposition amendment 23.4. MPP G elinas.

M^{me} France Gélinas: I move that section 3 of the bill be amended by striking out subsection 21(3) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): Discussion? MPP Gélinas.

M^{me} France Gélinas: Basically, we're talking about the content. We're in the bill where it says:

“(3) Without limiting the generality of subsection (2), the minister may, in a directive issued to one or more colleges or universities described in subsection (1),

“(a) specify information that a college or university must provide to the public about the costs and the manner in which it must be provided as of a specified date; and

“(b) specify steps that the minister intends to take if, in the opinion of the minister, a college or university fails to comply with the directive.”

If we're not willing to guarantee that there is not going to be a withdrawal of funds and that information won't be made available, we think it would be safer to just do away with section 3.

The Chair (Mr. Steve Clark): Further debate? MPP Grewal.

Mr. Hardeep Singh Grewal: For reasons we've discussed already, we will not be supporting this motion.

The Chair (Mr. Steve Clark): Any further debate? Are the members ready to vote?

1840

M^{me} France Gélinas: Recorded vote.

Ayes

Gélinas.

Nays

Gallagher Murphy, Grewal, Kusendova-Bashta, Pang, Quinn, Dave Smith.

The Chair (Mr. Steve Clark): I declare the motion lost.

The next amendment, from the opposition, 23.5: MPP Gélinas.

M^{me} France Gélinas: I move that section 3 of the bill be amended by striking out subsection 21(7) of the Ministry of Training, Colleges and Universities Act.

The Chair (Mr. Steve Clark): Discussion? MPP Gélinas.

M^{me} France Gélinas: That section relates back to the Legislation Act of 2006—part III, regulations, of the Legislation Act. This says that it “does not apply to a directive issued under this section.” There is a lot of protection that comes with being covered under the Legislation Act that already exists.

The bill we have in front of us basically says that none of those protections will apply to a directive that is issued under this section. It's never wise to take power away from constituents, from the public, from the students, and this is what the Legislation Act of 2006 does. So, we would prefer that this be removed so that everybody continues to

have the same protection that exists for everything else that goes on in a college or university that is covered by the Legislation Act of 2006 would also apply when it comes to the new mental health policies, the new anti-racism and anti-hate policies that the colleges and universities will have to put forward.

The Chair (Mr. Steve Clark): Further debate? Are members ready to vote?

M^{me} France Gélinas: Recorded vote.

The Chair (Mr. Steve Clark): A recorded vote being called.

Ayes

Gélinas.

Nays

Gallagher Murphy, Grewal, Kusendova-Bashta, Pang, Quinn, Dave Smith.

The Chair (Mr. Steve Clark): I'll declare the motion lost.

The next amendment is from the government, amendment 24. MPP Grewal.

Mr. Hardeep Singh Grewal: I move that section 3 of the bill be amended by striking out “and” at the end of clause 22(1)(a) of the Ministry of Training, Colleges and Universities Act and by adding the following clause:

“(a.1) a report regarding the college or university's policies and rules relating to racism and hate required under subsection 20(2); and”

The Chair (Mr. Steve Clark): Discussion? Any comments?

M^{me} France Gélinas: So, just to make sure, we are in the section of the bill that says:

“Reports to minister

“22(1) The minister may require in writing that one or more colleges of applied arts and technology or publicly-assisted universities provide to the minister, by a date and in a manner specified by the minister,

“(a) a report regarding the college or university's student mental health policy required under subsection 19(2);

“(b) a report regarding the college or university's policies and rules relating to racism and hate required....”

Is that all we're doing?

The Chair (Mr. Steve Clark): MPP Grewal.

Mr. Hardeep Singh Grewal: This is a housekeeping change that will provide further clarity that the minister would be able to request any updates on reports relating to anti-hate policies on campuses across the province.

M^{me} France Gélinas: Okay.

Mr. Hardeep Singh Grewal: I would recommend supporting this motion.

The Chair (Mr. Steve Clark): Is there any further debate? Are members ready to vote? All those in favour? All those opposed? Motion carried.

Shall section 3, as amended, carry?

Interjections.

M^{me} France Gélinas: Recorded vote.

The Chair (Mr. Steve Clark): Recorded vote? Okay.

M^{me} France Gélinas: You're pretty quick with the—

The Chair (Mr. Steve Clark): I'm trying.

Ayes

Gallagher Murphy, Grewal, Pang, Quinn, Dave Smith.

Nays

Gélinas.

The Chair (Mr. Steve Clark): I'll declare the motion carried.

Section 4: Shall section 4 carry?

M^{me} France Gélinas: Recorded vote.

The Chair (Mr. Steve Clark): A recorded vote being called.

Ayes

Gallagher Murphy, Grewal, Pang, Quinn, Dave Smith.

Nays

Gélinas.

The Chair (Mr. Steve Clark): I declare the motion carried.

Shall section 5, the short title, carry? All those in favour? All those opposed? Carried.

Shall the preamble carry?

M^{me} France Gélinas: Recorded vote.

Ayes

Grewal, Pang, Pierre, Quinn, Dave Smith.

Nays

Gélinas.

The Chair (Mr. Steve Clark): I declare the motion carried.

Shall the title of the bill carry?

M^{me} France Gélinas: Recorded vote.

Ayes

Grewal, Pang, Pierre, Quinn, Dave Smith.

Nays

Gélinas.

The Chair (Mr. Steve Clark): I declare the motion carried.

Shall Bill 166, as amended, carry?

M^{me} France Gélinas: Recorded vote.

Ayes

Grewal, Pang, Pierre, Quinn, Dave Smith.

Nays

Gélinas.

The Chair (Mr. Steve Clark): I declare the motion carried.

Shall I report the bill, as amended, to the House? All those in favour? Opposed? Carried.

That concludes our business for today, our clause-by-clause consideration of Bill 166. I want to thank all the members. I want to thank legislative counsel, Hansard, our Clerk, broadcast, all the members and all the deputants for Bill 166.

The committee will now stand adjourned until 1 p.m. on Thursday, April 25, for the purpose of committee business. I declare the meeting adjourned.

The committee adjourned at 1848.

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