

Bill 64: a rock and a hard place

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BOARDS of trustees and other educational leaders, under a looming Bill 64 — the Education Modernization Act (as articulated in BEST — Better Education Starts Today), find themselves between mythical Scylla and Charybdis, a rock and a hard place.

The situation, wrong on too many levels to enumerate, is not of their own making, and they don't deserve it. The most recent predicament centres around repeated, often-unrealistic, demands from the provincial government for information and assistance.

On one hand, trustees, under the Public Schools Act, schedule D (7), sign an oath of office declaring that they "will faithfully and impartially, to the best of their ability and knowledge, perform their duties... without fear or favour," and (8) be faithful and true to Her Majesty... according to law." Thus, they find themselves operating according to the current act, today's law, to uphold the welfare of their school division and constituency.

On the other hand, they are being ordered by the minister, often with thinly veiled threats and unrealistic timelines accompanied by insults, to act as if Bill 64 — the new act — has already been passed and enacted. The irony is that the new act will eliminate school boards, the very people who are now expected to ignore the essence of their oaths of office, assist in their own demise one year prior to the end of their term of office and act as if Bill 64 has already passed.

Boards are being asked to violate their very oath of office by undermining the communities that elected them. Simultaneously, superintendents, also facing job loss, are being directed to undercut their boards by collaborating with government, thereby breaching their employment obligations.

Some boards and superintendents

bow to the pressure. Others see this as a unique opportunity to take a public stand for public education. The consequences of their present decisions are hard to predict, but history provides some insights into those who do not choose to take a stand on principle.

Neville Chamberlain's and Benedict Arnold's historical infamy has now granted them a kind of immortality that each of them hoped to avoid when they misjudged the consequences of their respective — now seen as self-serving — decisions. Chamberlain's policy of appeasement with the evils of Nazism, and Arnold's betrayal and subsequent attack on his former compatriots, live on forever as examples of what people should not allow themselves to be drawn into.

That is the territory we're now in, with the rollout of the misnamed Education Modernization Act, even before the act is passed and proclaimed.

Appeasement of government appears to be a battle between practicality and principle — a false dichotomy — and historically, when principle is abandoned, practicality is collateral damage. Today's appeasers, covert collaborators, profess to participate reluctantly for the public purpose of limiting the inevitable damage of bad policies. Their duplicity and lack of faith in democracy to make things right will haunt them — true democracy does interrupt inevitability and eventually exposes complicity.

Betrayal also takes two forms — personal betrayal and betrayal of principle. The first is more easily grasped as abandoning your friends — in this case, local public schools, the people who work in them and the people who support them — in their time of need. The second is more complex and requires greater thoughtfulness and insight.

To uphold the democratic

ideals of equality and inclusion, it is necessary to involve the very people who see themselves as being betrayed by the system in the judgments and decisions regarding future actions and interactions which affect them. Shutting them out, as the government is now doing, betrays democratic purposes and public education ideals.

Bill 64 is fundamentally flawed, a direct frontal and unwarranted attack on public education and those who uphold and support it. The government knows this, and still seeks to make double agents and turncoats out of trustees and superintendents. Nevertheless, the rollout of Bill 64 proceeds, anticipating — even demanding — both appeasement and betrayal from the very people the public should be able to trust to protect the principles of public education — boards of trustees, superintendents, principals, teachers and parents.

Public trust, in both government and public schools, is at stake. Even more importantly, Bill 64 seeks to compromise our children's future educational opportunities.

Appeasement and betrayal always end in longterm regret, at huge cost to the non-partisan rule of law. In this case, they will inevitably leave a political and educational mess, with no foreseeable relief in the near future.

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