



Notes for a Submission
By
Nova Scotia Post-Secondary Education Coalition

Association of Nova Scotia University Teachers
Canadian Federation of Students-Nova Scotia
Nova Scotia Government and General Employees Union

To the
Law Amendments Committee
On
Bill 1 – Status of the Artist Act

Wednesday, May 2, 2012

Robyn Touchie - NSCAD student and past President of SUNSCAD

Thank you for the opportunity to present to you on the Bill number 1 "Status of the Artist Act."

Although positive, this legislation risks being undermined by the actions, and inactions, of the provincial government when it comes to NSCAD University, the Atlantic region's only degree granting fine arts institution.

This fall the provincial government commissioned a report on the financial state of NSCAD University (the Windsor report), despite the fact that a similar report had been commissioned in 2010 (the Hogg report), which said that, the government didn't need to review the university again until the end of 2012-13. When the Windsor report was released in December it stipulated that the university develop a plan by March 31 and that this plan not include requests for additional funding. This despite the fact that William Hogg wrote that: "[NSCAD's] finances could be at risk because of insufficient funding of its academic programs". The current funding formula for our universities takes into account the costs of educating different types of students and currently NSCAD receives less funding per student than other universities do for theatre, music or journalism students. Hogg also underlined the Department of Education's past practice of funding space related costs and advises the government to continue that practice.

Bill 1 states "the Government performs an indispensable role in fostering and nurturing a healthy and vibrant artistic sector" and we agree. In order to foster a nurturing, healthy and vibrant artistic sector you must foster a nurturing, healthy and vibrant NSCAD. The bill also recognizes the importance of providing programs and investment to support the arts and culture sector in the Province. We understand that the government has given additional funding to NSCAD over

the last several years, but this funding wouldn't be necessary if the funding formula was changed to reflect the true cost of providing a studio-based fine-arts education and if the government continued the precedent of funding space related costs.

Unfortunately the Board of Governor's response to the Windsor Report was a sustainability plan which recommended (to name a few): shortening studio class hours, ending 24-hour access to studio (a necessity and main selling point) cuts to staff and faculty positions which could lead to cuts to classes and/or programs to name a few.

On top of the three percent tuition fee increase the plan recommends further increases to tuition fees (which contravene the MOU) and new fees such as an overload fee, graduation fee, technology fee, student services fee, facility/campus renewal fee, and studio fees. If passed I believe that these fees will be in direct conflict with the section of the Act that states: "support access to artistic training and education and cultural awareness for young Nova Scotians, artists and interested members of the public." Many students, myself included, will not be able to afford to continue their studies with these new fees.

As this Bill states: "artists in the Province contribute to the cultural, educational, social and economic fabric of the Province". Here you could easily replace the word "artists" with NSCAD. In closing, this legislation must be coupled with a meaningful commitment to an independent, adequately funded, affordable NSCAD University.

**Mathew Reichertz - Artist, Chair of Fine Arts. Associate Professor,
FUNSCAD Vice-President, NSCAD University**

Thank you for hearing my thoughts and please know that, as an artist, I am supportive of and gratified by the work done to bring this act to this point. I have two specific opinions to make about the wording of the Act and two suggestions given the spirit of the Act.

First the wording of the Act

Article 3 (a) the definition of "artist"

"artist" means an individual who creates art through an act of creative expression;

It is difficult to define what an artist is or does and this act relates to any number of different art forms distinct from the visual arts – making it an even more complex task. But as a definition, related to the visual arts the use of the word 'expression' does not take the last 100 years of artistic production and artistic theory into account. I ask that the writers of this act consult further concerning the definition of an artist.

Article 7 and 8

The use of the phrase, "so far as it considers reasonable and appropriate" at the beginning of Article 7 and 8 regarding the Government's undertakings, is much too vague and opens up the potential for significant erosion of the progressive efforts described in both clauses. It is difficult work to undertake but I ask that the writers of the Act take the time and do the research necessary to articulate a stronger and more concrete position regarding the actions that the government will take to fulfill the responsibilities described in article 7 and 8.

Second, the spirit of the Act

Education

Without significant changes to our federal, provincial and municipal priorities, there will never be enough funding for the arts. This is not a statement made from a position of continued discontent. It comes from an acknowledgement of the "normal" lifestyle that most artists knowingly give up in order to do what they do and from an acknowledgement that, although everywhere there is a push to professionalize, the arts are upheld in large part through volunteerism from within the artistic community itself. The ultimate solution to the arts funding problem is to enrich our children's education with vibrant, well-funded, properly staffed art programs in grade schools and high schools, to make the gift of art a part of their lives from a young age. A community in love with the arts will support it from their own pockets as well as through their votes. For this to happen there needs to be concerted planning about art education between the portfolios in charge of culture, secondary and post-secondary education.

The Government undertakes, so far as it considers reasonable and appropriate, to support access to artistic training and education and cultural awareness for young Nova Scotians, artists and interested members of the public.

I must say that Article 7 (f) is not being served by the government's present position towards NSCAD University. The Government's obvious desire to have NSCAD affiliated, which is just another word for merged, with another university will undermine the central role that NSCAD plays in the Nova Scotia art community. I challenge those here today to find another city of comparable size in Canada that has an art community as vibrant and active as Halifax but that does not have an independent art college. There are many cities of comparable

size that have art departments in universities but you will not find comparable art communities in those cities. NSCAD's financial problems are, mainly, the result of a problematic university funding formula and that formula is being opened for reconsideration in the next year. I ask the government to put off making any decisions about NSCAD's future until the university funding formula has been revisited. I ask this given NSCAD's importance to the Nova Scotia arts community in the context of the Status of the Artist Act.

Susan Sutherland - President of NSGEU Local 42, NSCAD University

Introduction

Thank you and Good Afternoon. My name is Susan Sutherland and I am here today to represent the Nova Scotia Government and General Employees Union as President of Local 82 at NSCAD University. There are 41 clerical, administrative and maintenance workers at NSCAD and we appreciate this opportunity to speak with you in support of Bill 1.

We believe it is an important step in recognizing that artists play a significant role within our society and within the workplace. This bill also recognizes the artist as both a professional and a worker who deserves the same rights and protections as Nova Scotians who work in ship building and pulp and paper industries. You need only look at the recipient list for Major Canadian Arts Awards to see that Nova Scotia has brought forward more than its fair share of artistic excellence in recent years. This too is in no small part due to the presence of NSCAD which is an internationally recognized Post-Secondary Art institution that has been training and employing professional artists for 125 years.

However, as do all workers in knowledge based industries, artists face complex employment issues due to many social and economic factors. For example,

artists are more likely to require secondary employment due to their financial situations. Unfortunately, several of Nova Scotia's artists have recently lost that secondary source of income derived from part time teaching due to program cuts at NSCAD.

Earlier PEI Experience and Future of NSCAD

These are difficult times for both post-secondary education and the arts as public funding comes under pressure, but it wouldn't be the first time. I want to let you know that in 1977 all continuing education in PEI came under Holland College. As a result in 1978, the Handcraft Centre, which was an independent craft school, became the Holland College School of Visual Arts. Shortly after this takeover, enrollment numbers began to decline and disciplines were dropped one by one until the school closed in 1991.

Since then the closing of the Centre has been studied and heavily criticized as being a "retrogressive step" for the arts in PEI. The school was seen not only as an important training facility, but as "the very heart and soul of craft on PEI". The loss of the school, according to many, meant the loss of a presence for art in the education system, a loss of arts awareness on the part of Prince Edward Islanders, and a loss of validation for art production as a way of making a living. This could also happen to NSCAD.

Section 7(f) of Bill 1 states that the Government undertakes to "support access to artistic training and education and cultural awareness for young Nova Scotians, artists and interested members of the public". But we are very concerned about how this can happen in light of the so-called Sustainability Plan for NSCAD dated March 29, 2012, especially with its program and staff cuts. Instead, we might urge the government to put this report on hold until the Change Mandate under the latest Memorandum of Understanding for Universities is completed, including

a possible new funding formula for the provincial grants to universities. We would also encourage a much broader consultation and participation process with the arts community. I have attached our letter on the NSCAD plan for your possible reference.

It is times like these when the arts are suddenly focused on through a lens of luxury, but if the goal for us today is to acknowledge the artist's role in building the Province's identity and culture as stated in this Bill, we must also acknowledge that it is no longer adequate to measure arts education solely with a language of skills, economics and employability. An engaged democracy requires us to understand that the arts provides us with both a voice and a space to dialogue with ourselves and with each other, especially in times of personal and social transformation.

We support this Bill at least as a starting-point, and we point out that Nova Scotia needs NSCAD.

April 18, 2012

**BY FACSIMILE
424-0575**

Hon. Marilyn More
Minister of Labour and Advanced Education
5151 Terminal Road
P.O. Box 697
Halifax, N.S. B3J 2T8

Dear Ms. More:

I am writing on behalf of the Nova Scotia Government and General Employees Union and our forty-one members who work at NSCAD University about the recently released "A Framework for Sustainability" plan dated March 29, 2012 for that institution.

I want to convey to you as strongly as possible how much we disagree with this report and how devastating it would be for the future of NSCAD if it were to be implemented. In short, we think it would be nothing short of a recipe for disaster. We agree with the response which FUNSCAD has already circulated on this plan.

As we indicated in our joint letter of February 20, 2012 along with the Association of Nova Scotia University Teachers and the Canadian Federation of Students, we were very concerned about the limited time-line under which this plan was prepared along with the financial constraints already being faced by NSCAD. What has been produced is not a well thought-out strategic plan, but one which lead to is eventual demise as a viable and independent entity.

I want to let you know that while we had a very general discussion with the President about possible strategic directions in January, neither we nor our Local were consulted since that meeting about the specific proposals of this report. In fact, we find it hard to endorse almost every element of this plan. It violates all previous commitments and assurances made to students, faculty, staff and alumni such as no tuition re-set, no vertical cuts, and no layoffs

We do not agree with the proposed immediate or longer-term academic changes. In our view, they will effectively undermine the essential programs and services that have served to make NSCAD the internationally recognized institution that it is. The proposed changes to tuition as well as to auxiliary and ancillary fees would, we understand, be contrary to the spirit, if not the wording, of the recently concluded Memorandum of Understanding for 2012-13 to 2014-15. They would certainly do little to enhance the projected goal of increasing student enrolment by 10 per cent over the next five years.

The proposals under Outsourcing and Human Resources show a callous disregard for the long-serving and hard-working faculty and staff of NSCAD and their unions. In fact, we are barely mentioned in the plan. We also have to question how they will save money or enhance services for students.

To suggest that "...a contraction in NSCAD's workforce is possible without a significant impact on the quality of education delivered" is really a slap in the face to all staff. There is no justification presented for such a broad sweeping generalization which is completely unfounded. Worse still, the figures presented for reducing the full-time workforce by 26 FTE or 17 per cent suggests there is potential job loss for our members if this plan were to be implemented. In addition, we are concerned about the number of new excluded positions being created outside the bargaining units. We are aware of at least four that have been added this year.

We are concerned that these proposals may violate several articles of our current collective agreement such as Articles 22 dealing with Technological Change, Article 23 dealing with Contracting-Out, and Article 24 dealing with Layoffs and Recall. We will be considering possible actions against these apparent violations if this report were to be implemented.

Finally, we are troubled by the two limited financial scenarios presented to bring all the elements of the plan together for future possible directions. We are not convinced they represent the full extent of what could be done to strengthen the University. For example, we note the useful and more far-reaching observations and recommendations of the April 2010 Hogg Report such as your Department having a long-standing practice and history of funding NSCAD's property and space costs, the need to be cautious about thinking that asset or facility sales or loans could be a long-term solution to NSCAD's financial difficulties, and NSCAD's finances being at risk due to insufficient funding of its academic programs.

On December 9, 2011, our Board of Directors passed the following resolution:

"WHEREAS the government says it is committed to ensuring a strong and sustainable future for fine arts education in Nova Scotia;
WHEREAS NSCAD University is one of Canada's oldest fine arts and design degree-granting institutions that still draws half its students from outside Nova Scotia;
WHEREAS the Minister of Labour and Advanced Education appointed a former provincial deputy minister Howard Windsor in September to explore options for the future of NSCAD and to report his findings by the end of November;
WHEREAS the very survival of NSCAD may be threatened with possible program cuts and/or amalgamation with one or more other universities as a result of this review;
WHEREAS in just six weeks, the Friends of NSCAD have gathered 8,000 signatures on an online petition and its Facebook group has more than 2,700 members.

THEREFORE BE IT RESOLVED that we, the Board of Directors of the Nova Scotia Government and General Employees Union, express our support for NSCAD University to remain an autonomous and vibrant fine arts and design educational institution;
BE IT FURTHER RESOLVED that copies of this resolution be sent to the Premier, Minister of Labour and Advanced Education, the President and Board of NSCAD and the Friends of NSCAD."

We are also aware that the new MOU has committed the government and the universities to undertake a Change Mandate to review various aspects of the functioning

and support of universities over the next three years. As a result, we recommend that quick decisions on the future of NSCAD should not be permitted without allowing this broader review to be completed.

For all these reasons, we urge you and your government to reject this hastily constructed sustainability framework, and instead allow all stakeholders and concerned individuals to be fully consulted without having an unreasonable time constraint of a few months. We believe that this would lead to a more appropriate and progressive alternative plan for the future viability of NSCAD and its important role in developing a vibrant arts and culture community and creative economy.

I look forward to receiving your reply.

Yours sincerely,

Joan Jessome
President
Nova Scotia Government and General Employees Union

- c. Premier Darrell Dexter
NSCAD President David Smith
ANSUT and FUNSCAD
CFS and SUNSCAD