

# Quebec Federation of Home and School Associations

## *Response to Bill 40: An Act to amend mainly the Education Act with regard to school organization and governance*

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On October 1, 2019, the CAQ Minister of Education and Higher Education Jean Francois Roberge tabled Bill 40, *An Act to amend mainly the Education Act with regard to school organization and governance*, fulfilling an election promise made by Premier Francois Legault to abolish school boards in Quebec.

This lengthy and complex *projet de loi* affects more than 84 separate acts and regulations and we feel, proposes a governance model that is unnecessarily complex and unmanageable.

The short time frame which has been allotted for communities affected by this proposed law, to study it in detail and to present comprehensive briefs to the Committee on Culture and Education is also disappointing. A government confident in the strength of its arguments should have no hesitancy in inviting as wide a range of members of the education sector as possible to bring forward every perspective and critique, and should take the necessary time to hear all those who have something of value to share.

The Quebec Federation of Home and School Association's Rights Committee is studying this bill in detail and will address all the areas that give us concern. Once complete, it will be submitted to the Committee as a record of what our concerns were and will be, if indeed, this Bill is passed in its current form and implemented.

The Quebec Federation of Home and School Associations is an independent, incorporated, not-for-profit volunteer organization dedicated to enhancing the education and general well-being of children and youth. We are at the grassroots level, encouraging parents to volunteer in their children's school and be involved with education. We see firsthand the struggle there is to find enough parents with the time, energy and dedication to volunteer on school committees and activities in their local school. Parents' available time is stretched to the limit. We anticipate

great difficulty in finding enough parents to sit on these proposed School Service Center Board of Director positions, especially if they are already serving on local governing boards possibly with a myriad of other community organizations. It is often the same parents serving everywhere. We know we are not alone in this observation as many volunteer organizations struggle with the same challenges.

There is another element of this bill that has not been getting much media attention, but gives the QFHSA concern: the repeal of Section 6, the amendment to Section 36 and the repeal of Section 226:

Section 6 of the Current Quebec Education Act states:

*Students other than those enrolled in vocational training or adult education are entitled to student services in spiritual care and guidance and community involvement.*  
1988, c. 84, s. 6; 1990, c. 78, s. 54; 1997, c. 96, s. 6; 2000, c. 24, s. 18.

Section 36 definition of a school

*A school is an educational institution whose object is to provide to the persons entitled thereto under section 1 the educational services provided for by this Act and prescribed by the basic school regulation established by the Government under section 447 and to contribute to the social and cultural development of the community. A school shall, in particular, facilitate the spiritual development of students so as to promote selffulfilment.*

*In keeping with the principle of equality of opportunity, the mission of a school is to impart knowledge to students, foster their social development and give them qualifications, while enabling them to undertake and achieve success in a course of study.*

*A school shall pursue its mission within the framework of an educational project.*  
1988, c. 84, s. 36; 1990, c. 78, s. 54; 1997, c. 96, s. 13; 2000, c. 24, s. 19; 2002, c. 63, s. 2; 2016, c. 26, s. 1.  
2002, c.

And Section 226 states:

*Every school board shall ensure that schools offer to all students student services for spiritual care and guidance and community involvement.*  
1988, c. 84, s. 226; 1997, c. 96, s. 65; 2000, c. 24, s. 28.

According to the Spiritual Care and Guidance and Community Involvement Service Support documents, as found on the Ministry of Education website, “**spiritual life**” is defined as “*an individual quest within the context of a community, one rooted in the fundamental questions of the meaning of life, and that tends toward*

*the construction of a consistent, motivating and continually evolving vision of existence.*

and

**“community involvement”** is defined as “*a contribution of the individual to community life based on the recognition of the value and dignity of human beings and oriented toward the construction of a more harmonious and supportive society.*”

It goes on to observe:

*Spiritual life and community involvement are distinct, yet interrelated, notions. In fact, – the individual’s vision of existence motivates and guides his contribution to social life and*

*– his involvement in society enriches and transforms his spiritual life.*

*As a result, a person’s spiritual life and community involvement are symbiotically related.*

The **spiritual values** that this service encourages in our students are “*love, hope, confidence, perseverance, courage to live, self-improvement, inner life, dignity, happiness, wisdom, truth, quest, creativity, etc.*” and, through **community involvement**, to foster such values as “*sociability, honesty, dialogue, tolerance, respect, responsibility, mutual help, service, friendship, altruism, participation, compassion, peace, solidarity, justice, etc.*” (Sheet 4)

The goal of the service is to “*foster the development of an autonomous and responsible spiritual life among students and their contribution to the building a harmonious and supportive society.*” (Sheet 2)

The nature of this service “*is non-confessional, provides an opportunity for the students to develop certain dimensions of their lives that are different from those explored in cultural, athletic or recreational activities offered by the school.*” (Sheet #1)

These areas of operation of the service were left to each school board to implement as they saw fit, as addressed the needs of their unique student populations.

By repealing Sec 6, amending Sec 36 and repealing Sec 226, the Ministry is removing the assurance that our students will have access to spiritual care and guidance and community involvement as defined by the current Education Act.

Yet, the Ministry wishes to amend the mission of the school boards which currently states:

*The mission of a school board is to organize educational services for the benefit of the persons who come under its jurisdiction and ensure the quality of those*

*services, to see to the success of students so that the population may attain a higher level of formal education and qualification, and to promote and enhance the status of public education in its territory. A further mission of the school board is to contribute, to the extent provided for by law, to its region's social, cultural and economic development 2008, c. 29, s. 23; 2016, c. 26, s. 36.*

This mission will be replaced with a modified version for the proposed school service centers:

*The mission of a school service centre is to establish educational institutions in its territory, to support those institutions and to accompany them by procuring access to the goods and services and offering the optimal conditions enabling them to provide students with quality educational services and see to their success so that the population may attain a higher level of knowledge, social development and qualification. (Bill 40 #93. Pg 34)*

The repeal of Sections 6 and 226 and the amendment of 36 seem to contradict this intent to support **social development**. If you desire a population to attain a higher level of social development, then school life must provide part of the training ground for that development.

One of the activities of this current service offers is “to provide guidance to students and members of the staff- meet with students, members of the staff and parents on an individual basis (death, separation, conflicts, distress, advice, etc.) “In moments of tragedy and loss, special services must be available, on call, to tend to the needs of the parents, staff and students.”

Part of the mission statement of Home and School is “...dedicated to enhancing the education and **general well-being** of children and youth.”

We see the current school boards as supporting students’ overall well-being and social development by ensuring that our students receive spiritual care and guidance and community involvement as currently defined in the non-confessional model of the Quebec Education Act.

It is not possible that the Minister of Education does not value the education and social development of the **whole child**, nor could he wish to not encourage and promote **community involvement**, as defined in the current Education Act so it must be concluded that the repeal of Section 6 and 226 and the amendment of Section 36, is a knee-jerk reaction to seeing the word “spiritual” and, in a zeal to apply Law 21, opting to **repeal the whole service** rather than **rename it** with something that might seem less “religious” such as perhaps: “**metaphysical care and guidance and community involvement**”. Why throw the baby out with the bathwater?

We fail to see how this repeal of Section 6 and 226 and amendment to 36, addresses school organization and governance nor in any way, benefits our students, parents or school staff.

We fail to see how the requirement for parents to also serve on a local governing board in order to have eligibility to serve on a school service center's board of directors, will encourage the necessary number of parents to willingly step up to this level of governance, even with the proposed inadequate remuneration. Lack of time is a greater concern and the QFHSA predicts that many of the seats will remain empty.

Considering these conclusions, we offer some recommendations.

#### **RECOMMENDATION:**

- 1)** The QFHSA urges the Minister of Education to withdraw Bill 40 in its current form and to take the necessary steps to hear from all stakeholders in education wishing to contribute, in order to proceed in the best possible way to improve the current system that will result in enhanced education and increased school success for all students .
- 2)** Should the Government and the National Assembly decide to proceed with Bill 40 in its current form, we urge the Minister of Education to remove the stipulation that parents running for a position on the Board of Directors of School Service Centers also serve on their local governing boards, in order to open up the pool of parents eligible to run for these positions and thus provide for wider community representation and involvement.
- 3)** Given the Ministry's current definition of spiritual care and guidance, as values all Quebecers must share, **we request that Sections 6 and 226 not be repealed** and **Section 36 not be amended**, and we request that the government continue to support these necessary services in our school system. We consider the repeal of these two sections and the amendment of section 36 as misguided and would seriously undermine our children's well-being and their social development toward good citizenship in Quebec.

The Quebec Federation of Home and School Associations invites the Committee on Culture and Education to consult our parent members to determine the best ways to improve Quebec's public school system for the benefit of all students.

## REFERENCES

-The Spiritual Care and Guidance and Community Involvement Service – Support Documents (Sheet #1,#2, and #4)

EN

<http://www.education.gouv.qc.ca/en/references/publications/results/detail/article/the-spiritual-care-and-guidance-and-community-involvement-service-support-documents/>

FR

<http://www.education.gouv.qc.ca/references/tx-solrtyperesearchepublicationtx-solrpublicationnouveau/resultats-de-la-recherche/detail/article/service-danimation-spirituelle-et-dengagement-communautaire-documents-de-soutien/>

- Bill 40: *An Act to amend mainly the Education Act with regard to school organization and governance.* (Explanatory notes Page 3; item 2 page 9; item 93 page 34; item 106 page 38)

<http://www.assnat.qc.ca/en/travaux-parlementaires/projets-loi/projet-loi-40-42-1.html>

-The Quebec Education Act Chapter I-13.3  
(Section 6, Section 207.1 and Section 226)

<http://www.legisquebec.gouv.qc.ca/en>ShowDoc/cs/I-13.3>