

Appendix I – Specific Bill 86 article comments

Bill 86 Article #	Education Act Section #	Description	Comments
3	19	Teacher becomes the key pedagogical expert	It is good to mention this, but little in the proposed legislation that helps reinforce teacher professional development or assist school administrators to help coaching teachers on pedagogical matters.
4	36	The central role the school shall pursue its mission within the framework of an educational project and reinforces the success indicators... target school perseverance and academic success for the greatest number of students and facilitate the spiritual development of students so as to promote self-fulfilment.	Great deal of emphasis on statistics overshadows the need to help foster and contribute to student engagement and the love of learning without concrete measures that will improve success for all students.
5	37	Reinforcement of the Schools' Educational Project to contain <u>measurable results targeted over specified period of time</u>	Good, this measure simplifies the reporting requirements into a single document.
6	42	GB – Substitutes may be elected for each category allow the usage of substitute members that can vote - also community representatives will have a vote	Good, measure that could entice parents to become GB members The voting rights of community representatives should be status quo
7	45	School Council members – if parents – will no longer be able to sit as voting members of school Governing Boards	Major concern that takes away much of the reason for parents engagement and being involved with their local schools.
8	47	If parent from parents' committee is elected to the School Council, he or she will no longer be able to sit on a parent committee or exterior committees like EPCA.	Bad, completely lose contact with parent constituency and disenfranchise engaged parents from volunteerism.
9	67	Prescriptive rules for GB's to provide members any documents required for decision making – if no time specified in internal rules min of 5 days is required	Question as to whether 5 days is too prescriptive and realistic with governing board operations – we understand spirit and have a neutral position.
10	68	Upon recommendation of the principal, GB meeting may be closed (in camera) to the public	Takes away the power of the Governing Board chair to manage meetings historically entrenched in the Education Act. We would prefer that the principal remains as a resource to the GB.
11	69	Again, prescription that minutes for GB meetings must sent out well in advance	Question for the need to be so prescriptive
12	74	Reinforces the notion that the GB along with School Principal work at ensuring student	This is already present in the Education Act should be a

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		success through the evaluation of the school's Educational Project	given without the need for added emphasis.
13 & 14	75	Provides more explicit power to the governing board by allowing the adoption (permit to make changes) to the educational project.	Perceived as being a positive change
15	77	Governing Board is responsible for adopting rules of conduct (allow to make changes to proposed document by the principal) Perceived as being a positive change	Perceived as being a positive change
16	77.1	Governing Board change from approve with adopt for list of instructional materials	Perceived as being a positive change
17	78	Governing board shall advise the School Board concerning the school principal's work performance for the purposes of his annual evaluation	Not sure if the limited interaction at Governing Board provides enough insight for parents to judge principal's work performance
18	79	School board must consult with the Governing Board with specifics as to the expertise and experience profile for the appointment of the principal	Good
19	83	Governing Board is responsible to communicate the evaluation and Educational Project with parents and school staff	Good - no real change as done already
20	84, 85, 87	"Adopting" replaces the words "approve"	Perceived as being a positive change
21	89.1	Parents of the Governing Board may with the school principal's assistance (new) consult parents of the school	Principal should assist the Governing Boards in the consultation of parents.
23	96.13	Greater emphasis on the Principals role on the implementation and evaluation of the school's Educational Project along with adding the words of "adopting"	Not perceived as being absolutely necessary change as it is normal that consultation and discussions take place to receive maximum buy in from all Governing Board members. In favour of adopting.
24	96.14	In addition of the IEP procedures, and addition that the SB has an examination and complaint procedure	Good
25	96.24	Resource allocation committee (new) may decide to transfer any school surpluses to another institution within the SB	Normally already undertaken by SB administration

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26	96.25	Principal involved in contributing to the “commitment-to-success plan” (new) which replaces the SB's Strategic Plan	Good, no major change
27	97	Centres shall pursue their mission within the framework of an educational project. (more importance is placed on the educational project)	Good
28	97.1 97.2	More prescriptive info on what the “Educational Project” must include and the period covered	Good
29	104	School Council Members (parents) cannot be members of school Governing Boards	Disconnect with local schools and disenfranchise parent influence. This change is not welcome
30	109	Governing Boards are asked to analyze and follow up on School Educational Projects which will now take encompass and integrate the school success plans (unifying Educational Project with School Success Plan)	Streamline, good
31	109.1 removed	School Success Plans no longer used- now part of Educational Project	Streamline, good
32	110	Governing Board shall advise the work performance of of the centre’s principal , for the purposes of his annual evaluation;	Again, questions arise as to the capacity of parent members to become part of the evaluation process on very limited meeting times of Governing Boards. Parents could have no knowledge of performance skill sets required by school administrators.
33	110.1	SB must consult with Governing Board as to the selection criteria and the addition of elements to the expertise and experience profile for the appointment of the principal.	Good
34	110.2	Again adding the word “Adopting” - providing the Governing Board power to change proposals of the principal	Perceived as being a positive change
35	110.3.1	Replacing the last four paragraphs with: The governing board shall communicate the centre’s educational project and any evaluation of the project to the students and the staff.	Not perceived as big change
36	110.10	More prescriptive direction for principals to	Not perceived as big change

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37	116-121	assist Governing Boards in their functions and powers - ie educational project evaluation and making it public “DIVISION I.1 CHANGES TO SCHOOL BOARD TERRITORIES AND TRANSITIONAL PLAN Allow the government to make changes in School Board territories without having to pass a law. In effect this provision will provide the minister with more powers.	Major concern over the added powers to the bureaucracy that could possibly take away control from the English speaking minority in Quebec.
38	Division III Chapter V	Council of Commissioners replaced by (New) School Council	Bad translation from “conseil scolaire” to “School Council” - Better translation would be “ School Board Council”
39	143 – 143.2	School Council Composition of 16 members (1) 5 parents elected by parent committee (min 1 yr experience on GB) 153.6 or 153.6 (2) 1 parent Special Needs (153.6) (3) 4 community representatives (elected in accordance with sections 153.6, 153.7 or 153.8 to 153.12, as applicable ;) (4) 2 persons from the community elected in accordance with sections 153.6 or 153.8 to 153.12, as applicable, and domiciled in the territory of the school board; (5) 1 teacher and 1 non-teaching professional from the school board, each elected by their peers in accordance with section 153.13; (6) 2 principals of educational institutions of the school board, elected by their peers in accordance with section 153.13. 143.1 - prescribes who cannot be elected to School Council - (no employees except for the ones prescribed)	Again unnecessarily complicated. Have a majority of parent representatives sit on the School Council along with community representatives with voting rights Allow School Board employees participate without the right of vote. School Board employees already participate in committees at the school board and do provide valuable input. Important to be able to differentiate on School Council size in relation to school board size. For smaller boards, the current proposed number of 16 voting members might be too large.
40	145-153 NEW replacement	Sections 147 – 153 covering elections procedures are omitted from this document. “§1.2. — Election procedures for seats reserved for parents and seats reserved for persons from the community New School Council to take office Nov 1, for a three year term	Should just increase the number of parents to the Council of Commissioners to a majority with the right to votes. <u>In an effort to comply with section 23 of the Canadian Charter of Rights and Freedoms that deals with minority rights, the proposed legislation could result in a patchwork of governance models. - in effect making right to control minority linguistic education different, depending on where one lives. This concept of variable geometry rights across Quebec is very troubling and</u>

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			could affect minority language rights outside Quebec. Concerned also, over the short term of three years. More appropriate to have as normal terms for elected bodies of four years so that could be twinned with municipal elections.
41	154-155.1 NEW replacement	§ 2.—Operation (154) DG convenes School council before Dec 1 (155) Chair or Vice chair reserved for a parent	Agree that parent position takes leadership position at the new School Council
42	157	Filling vacancy of chair or vice chair within 30 days	Good
43	158	Allows the School Council to choose temporary chair in absence of Chair or Vice Chair	Good
51	174	The school council may also delegate certain functions and powers to a governing board or to the resource allocation committee established in accordance with section 197.1.	In general Governing Boards in our schools have not been asking for increased powers, however more training is required to make them more efficient and functioning better. Resource allocation committee exists within our school boards under different names
52	175	School Council will NOT be remunerated unless determined by the Government. Members are entitled to an attendance allowance and reimbursement of expenses.	Common remuneration should take place without regards to school board size. A reasonable and equitable stipend is merited for the work conducted on behalf of the students.
54	175.4	Prescription that a member of the School Council who is an employee must recuse themselves from matters concerning hiring, employment, remuneration, employee benefits and other conditions of employment, individual or collective, of any school board employee.	Problem easily solved by not allowing school employees the right to vote
57	177.3	School Board, in addition to ongoing training for School council members and GB members must include: The training program must include training in governance, ethics and financial management.	This is left up to individual School Boards to apply which leaves a greater possibility of having training variances. We need to have universal, standardized and format mandatory training across Quebec.
59	183	Joint Management Committee must report annually to the School Council on the governing boards' practices regarding the financial contributions made ...by parents...: The right of free use does not extend to documents in which students write, draw or cut	We hope that the government will bring some clarity and establish guidelines on school fees and the usage of hardware and software technology. This should be a priority.

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		<p>out. <i>Instructional material does not include pencils, paper and other objects of a like nature...</i>, and the educational services provided outside teaching periods and on non-school days.</p>	
61	187	<p>New addition added to: The functions of the advisory committee on services for handicapped students and students with social maladjustments or learning disabilities are (3) to advise the school board on its commitment-to-success plan.</p>	<p>We feel this is a good and welcome this change.</p>
63	193	<p><u>Changes to</u> The parents' committee shall be consulted on the following matters: (1) any change to the territory of the school board; (1.1) the school board's commitment-to-success plan; (replaces strategic plan) <u>addition of</u> (5.1) the school board's by-law on the procedure for the examination of complaints from a student, a homeschooled child or a parent of either with regard to the services the school board provides to them under this Act;</p>	<p>We concur with the consultation of parent committees.</p>
64	193.1	<p><u>Governance and Ethics Committee</u> additional responsibilities must also follow up on the school board's commitment-to-success plan. and secure the assistance of at least one person who has competency or relevant experience in governance matters (cannot be a school board employee). <u>Human Resources Committee</u> additional responsibilities assist the school council in establishing selection criteria for those persons, (principals, director generals and assistant director generals) and shall evaluate the director general of the school board and secure the assistance of at least one person who has competency in human resources matters (cannot be a school board employee). Also, other committees may be created except and Executive Committee Governing Boards must provide committees any information to committees or documents necessary for the exercise of their functions</p>	<p>Following up on student success is good.</p>

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67	199.1 added	Annual evaluation of the Director General made and forwarded to the school Council and the Minister	We question the need for sending the Annual evaluation to the ministry as it could require greater bureaucracy to deal with such information.
68	200 and 200.1 replaced	Renewal of Director General , must take into account the DG's evaluation and dismissal shall require 2/3 vote by School Council and sent to the Minister 200.1 prescription on part of Minister can within 45 days postpone or cancel the decision from the School Council. (increase reporting requirements)	Increased reporting requirements will necessitate a greater bureaucracy at the ministerial level. With all the budget cuts experienced in recent years we question the need for sending on a regular basis documents to the ministry.
73	209.1-209.2 replaced	Every school board shall adopt a commitment-to-success plan taking into account the strategic directions 209.2 The school board shall make the educational project of each of its educational institutions public.	Educational Project and School Board objectives seem to be more in line with each other along with the accountability and reporting mechanisms of success rates
74	211.1	Removes current need for school board must adopt a policy on introducing students to democracy in schools , providing, in particular, for a form of student representation with the council of commissioners. And replace with... ensure that mechanisms are put in place to allow students to participate in defining some of the policy directions... including... school board's commitment- to-success plan.	Why should we take away this instruction?
76	Adding 213.1 & 231.2	School boards must encourage the sharing of resources and services with each other or with other public bodies	Particularly focused cost savings of services and not pedagogy.
78	218	Again strengthening the Educational Project and removing School Success Plan terminology.	Good streamline
85	258	New powers- minister may prescribe by regulation amount financial contributions and formalities	Again a move towards greater centralization which in turn will lead to a larger bureaucracy not serving the immediate needs of our students.
86	259 added	Governing Board member designated by GB to participate in choosing the principal must be a parent member	Good
90	305 repealed	Section removed dealt with taxation and electoral list	We would have appreciated to see some measures that would provide more uniformity in taxation in regions so as to minimize inequities
91	306 amended	Specificity to English language school board taxation and (once child graduates - immovable taxation is maintained.)	Does not address the problem of removal from the past English lists to the French lists and hence having an imbalance

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		“If the immovable owner does not make an election, the immovable is taxable exclusively by the French language school board.	Again automatic tendency to push towards French language school board taxation base thus reducing the vitality and the sustainability of the English school boards.
111	455.2 NEW	Government may make regulations for the election of school council members	Better to focus on how to best improve current school board election procedures in the first place. Funding for such possible election must come from the ministry and not the school board
112	457.5 NEW 457.6 NEW 457.7 NEW	Minister may prescribe conditions for financial contributions for experiential learning projects Section 255 1.1 Minister may, by regulation, provide for and regulate the carrying out of information and prevention activities related to safety at school Minister may, by regulation and in accordance with section 117, establish a transitional plan applicable to school boards affected by territorial changes	Powers to the minister have been added and therefore raising reporting requirements from school boards. We fear this in turn will necessitate a greater staffing at the ministry – This could absorb educational budgets away from the schools.
114	459.2 replaced 459.3 replaced	The Minister may determine, for all school boards or based on the situation of one or certain school boards, policy directions, objectives and targets they must take into account in preparing their commitment-to-success plans. The Minister may, for any school board, prescribe terms governing the coordination of the entire strategic planning process between the educational institutions, the school board and the department.	Ministerial powers increased without having any parameters established that could affect minority language school system
120	473.1	1. Adding to facilitate the operation of a school board that is established or that acquires jurisdiction over a new territory 2. The budgetary rules may also, subject to the conditions or in accordance with the criteria prescribed or determined by the minister	1. Powers of the minister raised that could affect the composition of schools in linguistic school boards. 2. Established criteria according the needs of the majority of Francophone school boards that could be detrimental to the way things function in the English sector that is very distinct.
146	Repeal	The Act respecting school elections (chapter E-2.3) is repealed.	Instead of focusing on structural changes, attempts should have been made on improve voter participation. This would have been a more appropriate plan for action. The Jennings report should be reviewed to get more insight on this.
169-177		REGULATION RESPECTING CERTAIN CONDITIONS OF EMPLOYMENT OF SENIOR EXECUTIVES OF SCHOOL	We believe that the school council's should retain primary responsibility over DG performance and as a last resort the ministry should get involved.

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		<p>BOARDS</p> <p>The director general's evaluation must focus, in particular, on the management of the school board's financial resources, the director general's function of ensuring that everyone's roles and responsibilities are given due regard and the implementation of the commitment-to-success plan.</p> <p>DG employment period shall not exceed 5 years</p> <p>also deals with termination of DG and Minister's involvement.</p>	
178-180		<p>"A school principal or principal of a centre shall be evaluated, in particular, on the implementation of his school's or centres' educational project."</p>	<p>Focus on success rates is good, but must not be the only criteria used to evaluate school administrators.</p>
182		<p>The term of office of school board commissioners is revoked on (insert the date that is 15 days after the date of assent to this Act).</p>	<p>Would prefer that the current council of commissioners be allowed to finish their elected term so to allow a proper transition with the new model of governance. This would also be more respectful to the winning candidates and the people who voted.</p>
203		<p>Act comes into force July, 1 2016</p>	<p>Better to extend time frame and have proper consultation and the law comes into force in conjunction with municipal elections.</p>