

Advisory Board on English Education

**BILL 40 and the English Education System in
Québec**

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A Brief Presented to the Committee on Culture and Education

ADVISORY BOARD ON ENGLISH EDUCATION

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BILL 40 and the English Education System in Québec

Summary

In preparing this brief, the Advisory Board on English Education (ABEE) has explored the research literature on models of governance in education and listened very carefully to the reactions of schools and the wider community to Bill 40.

The brief questions the relevance of the reform by asking: What problem is it trying to solve? Currently, English-language schools have an excellent success rate on provincial, national and international measures of achievement and focus on providing students with the means and options to do even better.

ABEE appreciates that a form of suffrage for English boards has been maintained but feels that it falls short of the English-speaking community's expressed expectations of universality. ABEE, along with others, has long urged the government to reform the electoral process with a view to improving voter participation. We believe that with modifications to the process, elections can be cost effective and encourage increased participation. The Board further believes that the present system of election by universal suffrage every four years has served the English-speaking community well and that any failures in governance should be dealt with on a case-by-case basis. ABEE welcomes the Bill's intent to provide mandatory training for service centre board members and school governing board members.

Presently, school board commissioners play a vital mediating role between the government and local concerns and are accountable to the electors for the way they manage and control the resources made available for the education of youth and adults alike. This requires, among other things, many hours attending meetings and reading various documents, essentially on a volunteer basis. It has been shown that membership on school boards is sufficiently varied and does include parents, retired educators, school personnel and interested community members.

Thus, we have several concerns about the hybrid model of governance proposed:

- What happens if not enough parents put their name forward for election, as being on the Board of Directors could place undue responsibility and time pressures on them. Additionally, in school boards covering large territories, travel to meetings can be a real deterrent to participation.
- As school personnel are not elected by the population at large, will it make them answerable to their constituencies? Are there possible conflicts of interest at play in deciding on matters such as hiring and firing the Director General or, indeed, their colleagues?
- We believe it will be difficult to find truly representative local community members, particularly in large school board territories that cross regional boundaries.
- The proposed stipend for attending Board of Directors' meetings is unrealistic.

Finally, ABEE is concerned about the impending regulatory powers accorded to the Minister and question their impact on the right of the English-language school system to management and control.

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Bill 40 and the English Education System in Québec

Introduction

In June 2019, the Advisory Board on English Education (ABEE) submitted a brief to the Minister of Education and Higher Education to contribute to the early discussion on the reorganization of school governance in Quebec. We appreciated the opportunity for input early in the process of developing the Bill, although this meant that we were working without exact knowledge of the Minister's intent. In October 2019, Bill 40 was tabled in the National Assembly, allowing ABEE to revise its original brief and to respond more precisely to the proposed changes, as they affect the English-language education system. This brief is the result. Many of the questions asked in the June 2019 draft have been answered, but some remain. We do not claim to speak for the French-language school system, but Bill 40 and its implementation still raise issues of potential concern to the English-speaking community.

From the experience of other jurisdictions, discussed later in this brief, and Québec's recent experience with the restructuring of the health system, in which the English-speaking community lost a great deal of its control over institutions it had founded and successfully managed, it is easy to understand the fears of the English school system and the English-speaking community as a whole: that the replacement of councils of commissioners with service centres will mean the loss of political control and strategic direction over their school system, increase the level of bureaucracy, give more control to the minister of the day and diminish control at the local level.

ABEE appreciates the Minister's willingness to listen to the English-speaking community and to allow a voting system for the management of its school system, yet universal suffrage is not honoured in Bill 40. As ABEE does not have the expertise to address the legality or the constitutionality of the plan to replace school boards elected by universal suffrage with service centres managed by boards elected by a hybrid model, this brief will focus on the practicalities of implementing such a model. We present this brief in the hope that it will contribute to the consultation and debate on the Bill. We continue to offer help to the Minister in crafting the new iteration of the *Education Act* as well as its implementation.

It is hoped that, as well as focusing on implementation, this brief will contribute to the theoretical base that will surely need to be developed before undertaking such a major overhaul of the education system. Any consultative document proposing such important policy should give evidence of being thoroughly researched and documented, using current data from a wide range of other jurisdictions, including the OECD, the European Union (EU), the United Kingdom (UK), and other Canadian provinces.

While there is always room for improvement in any system, the proposed changes inevitably raise certain questions:

1. What problem is being solved?
2. Does the proposed reorganization truly represent local control?

3. Will enough parents be willing—or able—to take on the responsibilities that will be expected of them?
4. Will this reorganization improve children's or adults' education? Will it increase student success and retention?
5. Is there evidence that dispersed school governance improves student success?

1.1 Solving problems: Reform of school board elections

The question, “What problem is being solved?” was partially answered by citing the savings that would result from cancelling elections in the French-language system, although the changes to the whole system will inevitably be expensive. The Minister has responded to the requests of the English minority system by maintaining a form of election to service centre boards. ABEE regrets that the proposed mixed model falls short of the definition of universal suffrage, according to s.143.1(3). The overall composition and formation of the board looks similar to the Cegep model, yet a Cegep board of governors functions differently and with different responsibilities than a board responsible for managing a school system. For example, a Cegep board deals with one entity, rather than having an overview of a network of facilities.

It is certainly true that voter turnout for school board elections is low, albeit better in the English sector than the French, and there is a belief that this proves that people do not want school boards.

- Does low turnout necessarily imply apathy?
- Or does it imply satisfaction with what is being done?
- How does support for school board elections, which are insufficiently advertised and financed, compare with voter turnout in municipal, provincial or federal elections and by-elections?

Over the years, many groups, including ABEE, have suggested ways of improving the electoral process to make it more attractive and more economical, but these have not been implemented. In summary, ABEE continues to recommend the following:

- Update and maintain voter lists. This is of particular concern to English-language voters who have complained for 20 years about being left off voting lists for their local school board, even when they have requested that they be included.
- Graduates of English-language schools and their parents should automatically be placed on a voting list for English-language boards, unless they choose otherwise. The Canadian Revenue Agency tax form already has a line authorizing the release of the filer's name to Elections Canada. A simple solution to this problem would be the addition of one line to the *Revenu Québec* form asking filers whether they want their name to be included on a French or English voter list.
- Change voting procedures to include the option of postal, electronic, written, or telephone voting. This would make voting easier and would also be more economical.

As a body representing a minority language group that includes much diversity, ABEE supports the Organisation for Economic Co-operation and Development (OECD) assertion that “governing multi-level education systems effectively requires governance models that balance responsiveness to local diversity with the ability to ensure national objectives.”¹ ABEE believes that democratically elected school boards can provide the needed balance in a way that the proposed service centres cannot.

The wish to maintain an education system structured around a body elected by universal suffrage is not restricted to English-speaking Quebecers. The president of the Canadian School Boards Association has recently written: “Any reduction of democratic representation in the governance of public education must be a concern to all Canadians, regardless of whether their first language is French or English, and whether or not they have school-aged children.”² Moreover, “the public education system in Canada is a cornerstone of our society. A major part of success for ALL students is local, democratically elected school boards. Governments need to work WITH boards to strengthen the system. There is room for everyone.”³

1.2 Cost considerations

Twenty years ago, the change from confessional to linguistic school boards was estimated to cost 70 million dollars: 40 million from the Ministère de l'Éducation et de l'Enseignement supérieur and 30 million absorbed by the school boards.

- What is the estimated cost of this reorganization?
- Who will pay for it?

The administrative cost of running a school board has been estimated at less than 5% of the total budget, which “compares very favourably with every other level of administration.”⁴

In 2013, ABEE researched the expenditures of various school boards and wrote:

The *Indicateurs de gestion* (management indicators) show that both English and French school boards were more fiscally responsible than health and municipal authorities. Even so, English school boards spent less on school board personnel than French school boards and in spite of extra costs, such as immersion programs, the cost of educating a student in an English school board is economical. As one example, the *Indicateurs de gestion* for 2008-2009 showed that the cost per student in the Central Québec School Board (CQSB) was \$7 758, compared with an average of \$8 005 per student for the 14 French boards that operate in the same territory as the CQSB and which could be assumed to have

¹ *Governing Education in a Complex World*, T. Burns and F. Köster eds., Centre for Educational Research and Innovations, (Paris: OECD Publishing, (2016). <http://dx.doi.org/10.1787/9789264255364-en>

² <http://cdnsba.org/wp-content/uploads/2019/02/February-2019-Presidents-Bulletin-edit.pdf>

³ Canadian School Boards Association, [#schoolboardsmatter](#) 9:35 AM - 20 Feb 2019.

⁴ <https://montrealgazette.com/opinion/opinion-protecting-english-rights-means-keeping-our-school-boards>. Dan Lamoureux. Special to the Gazette

comparable operating expenses, and that the CQSB expenditure was at the median value for all 15 boards.⁵

According to the changes proposed under Bill 40, the English-language system will continue to bear the cost of elections (as well as the extra costs of running parallel French immersion programs).

- ABEE recommends that the Minister guarantee adequate funding for the promotion, advertising, and management of the electoral process for the school service centre’s board of directors.
- ABEE recommends that elections be held every four years.

The Minister has said that the service centre approach “will enhance the quantity and quality of services provided to the schools and their occupants.”⁶ There are shortages among providers of complementary services, especially in the regions, because of a lack of qualified personnel.

- How will this different approach enhance the services provided?
- How will a service centre deal differently with the shortage of professionals in the English education sector?

1.3 Improving the functioning of school boards

The Minister has said that the education system in Québec encourages mediocrity and dumbing down.⁷ No one consulted by ABEE, not directors general, teachers, professionals or parents, agrees that the English system is either mediocre or dumbed down. Students in the English school sector perform well in international and national testing programs. Provincial examination results, which, in the English sector, include the results for all students, are very good and continue to improve, which is significant considering that most of these students have been educated in both French and English and that many of them write their school leaving examinations in French, including the examinations in History and in French as the language of instruction.. The fact that students entering kindergarten in the English school system are significantly more likely to be developmentally delayed than their peers in the French school system⁸ suggests a causal relationship between the education they receive from English-language school boards and their success rates.

⁵ ABEE. “One size does not fit all: Distinct solutions for distinct needs,” September 2013, p. 28.

⁶ <https://montrealgazette.com/opinion/opinion-caqs-school-governance-plan-respects-english-community-rights>. Jean-François Roberge, *Special to the Montreal Gazette*. Updated May 2, 2018.

⁷ <https://www.journaldequebec.com/2018/10/19/un-prof-idealiste-devenu-ministre-de-leducation>

⁸ William Floch, “Presentation to the LCEEQ Seminar, April 11, 2019,” Data from the 2017 Quebec Survey of Child Development in Kindergarten (Québec City: Institut de la statistique du Québec, 2018).

Table 1 Positions of the nine English-language school boards in the seven-year cohort graduation rate⁹

<i>Québec private system</i>	92.5%
English-Montréal School Board	91%
Central Québec School Board	90.7%
Riverside School Board	88.3%
Lester-B.-Pearson School Board	87.9%
<i>English system (average)</i>	85.3%
Sir Wilfrid Laurier School Board	84.5%
Western Québec School Board	80.9%
<i>Québec (private and public)</i>	80.9%
<i>French system (average)</i>	80.8%
New Frontiers School Board	80.7%
<i>Québec public system</i>	77.7%
Eastern Shores School Board	77.2%
Eastern Townships School Board	69.7%

It appears that the majority of English-language school boards are working well and efficiently. Where there are problems, they should be addressed as they arise: if some councils are dysfunctional or problematic, their particular problems should be addressed. Moreover, the Minister has shown that he can—and will—do this.

ABEE recommends that problems within individual school boards should be addressed on a one-by-one basis.

There are reports that some commissioners do not have a clear idea of their mandate. Training sessions, already offered by some school boards, will be a requirement for new board members. ABEE recommends adding periodic ongoing retraining.

2.0 True local control?

A 2009 European research report proposes a decision-making level located between the central government and the local school in order to establish equity and protect minorities, and questions how genuine local control really is. The report

argues that, for decentralized education systems, the role of the central and regional governments is critical in ensuring equity and protection of minority interests [C]ountry cases and a review of research indicate that the decentralization programs have been successful in changing existing

⁹ Taux de diplomation et qualification par commission scolaire au Québec, 2018, MEES, pp 14-17.

administrative and decision-making structures and in installing new ones, but they seem to be less successful in terms of genuine local participation.¹⁰

The Minister has said: “We will want to bring decision-making closer to those on the ground, to those who know the students by name. [...] Not everything is going to be decided in the schools, but somewhat closer [to them] than at this moment.”¹¹

He continued by elaborating that some of the responsibilities of school boards, such as “administrative management, school support, job links, school transportation and school construction and renovation” would be carried out by the proposed service centres, as would “many other things.”¹² Indeed, the great majority of changes to the *Education Act* are editorial, such as substituting “school service centre” for “school board”, but other changes are more substantive and raise some questions at the level of implementation that are not clarified in Bill 40:

- What specific issues will be decided at the school level?
- What “other things” will be decided at the service centre level?
- What will be the relationship between the service centres and the Ministère de l’Éducation et de l’Enseignement supérieur, and will they be as responsive to the local needs of their communities as existing school boards?
- How can a governance structure established by a mixed model respect the principle of universal suffrage for all taxpayers?
- Who will collect school taxes off the Island of Montréal? The school? The service centre? The municipality? Some English-language school boards encompass dozens of municipalities.
- And most saliently, what are the real differences between the mandate of existing school boards and the proposed service centres?

Finally, sections 455-459 of the Bill show that the Minister has been accorded far-reaching regulatory powers over many aspects of the educational system, including examples of veto power. This casts doubt on the expected effectiveness of the proposed system if it needs so many checks and balances and has also raised some doubt as to how “local” the governance will be in practice. Why is there a need to increase the Minister’s powers? As the regulations are not yet written, we are greatly concerned about the level of oversight this may represent, especially as two non-parallel systems will have been created, having different types of governance and, thus, accountability. The English-speaking community is committed to upholding the management and control of its

¹⁰ Holger, Daun, “Globalized Educational Governance, Decentralization and Grassroots Responses,” *World Studies in Education*, 9, 2008: 23-55.

¹¹ <https://www.tvanouvelles.ca/2018/11/22/roberge-ne-veut-pas-revolutionner-les-commissions-scolaires>. “On va vouloir rapprocher la prise de décisions de ceux et celles qui sont sur le terrain, de ceux et celles qui connaissent les élèves par leur nom.” He added, “tout ne se décidera pas dans les écoles, mais un peu plus qu’en ce moment.”

¹² *Ibid*

educational system and would not, we believe, tolerate any infringement on its ability to exercise this right.

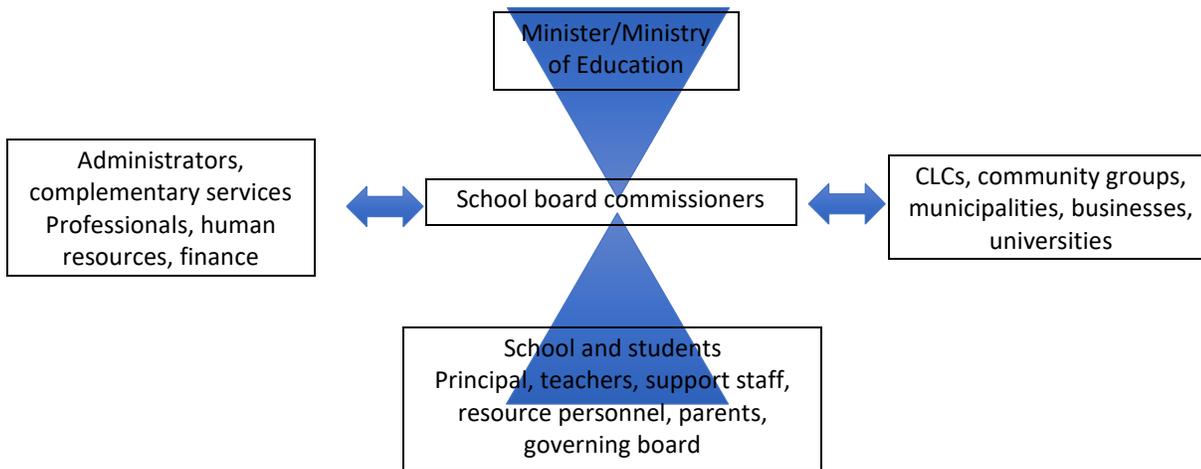
2.1 Role of the existing Councils of Commissioners

The Minister has said that school boards have taken over the role of the Ministère de l'Éducation et de l'Enseignement supérieur,¹³ but this is not the perception of many of the system's stakeholders, who see various players playing roles that are different from each other.

Borrowing from a report by the EU,¹⁴ we can think of control and governance of education as represented by two triangles: a base triangle representing local, school-based governance, where parents and school personnel have the power to manage many of the school's affairs; and an inverted triangle representing top-down control from the Ministère de l'Éducation et de l'Enseignement supérieur, with responsibility for province-wide issues such as curriculum development, evaluation, staffing negotiations and funding. The meeting point of these two triangles is described in the EU report as the "mediating level."

At present in Québec, the mediating level is under the control of councils of commissioners, elected by universal suffrage, who provide the interface between the Ministère de l'Éducation et de l'Enseignement supérieur and the local community and its schools (See Figure 1). They act as a point of contact for the school communities in their wards and, through their Chair, are able to intervene with the Ministry.

Figure 1. Existing governance structure



¹³ J-F Roberge, *Tout le monde en parle*, February 24, 2019.

¹⁴ <https://www.schooleducationgateway.eu/downloads/Governance/2018-wgs6-Full-Final-Output.pdf>

The proposed service centres, with their altered composition established by a hybrid voting model, would not provide the same kind of cushion between the school district and the Ministry. This would reduce local control, rather than increase it, and create a vacuum in the space now occupied by councils of commissioners.

- How will decisions made at service centres bring decision-making closer to the constituents?
- How effectively will service centres address local concerns?
- If, for example, there is disagreement among principals on the Resource Allocation Committee, who would arbitrate? This is where the final decision would be made.

If the locus of control is really at the school level and the service centre is an administrative body, there is clearly an opportunity for setting up individual fiefdoms in each school. Without the mediation provided by school boards, it is clear that inequities will occur. The Minister's concern that school boards have become mini-ministries of education will not be resolved by increasing the number of individual loci of power.

2.2 What do commissioners do that will not (or cannot) be done by members of service centre boards?

School board commissioners perform a wide variety of roles in their communities. Their responsibilities (e.g. budget oversight and audits; facilities and their use; transportation, boundaries and catchment areas; policy development) may be thought of as procedural issues that could be transferred to bodies such as the boards of the proposed service centres, but school board commissioners do a lot more than this.

They are elected officials who speak to elected officials in both the provincial and local governments on a peer-to-peer basis. They act independently to meet the needs of their community and they hire, monitor and support the Director General. Effective councils of commissioners provide direction and serve as a sounding board for the Director General, being at one remove from day-to-day operations and able to reflect the community's concerns. This distance gives them a broader perspective than that of in-school personnel. It also gives them a degree of independence as an oversight body.

Commissioners attend local school governing board meetings, serve on a variety of council committees, read extensively to prepare for meetings, respond to telephone calls from constituents and act as an essential buffer between them and the school board administration. Commissioners are also responsible for resolving serious issues such as those involving ethical questions, the ombudsman's report, school closures, or student expulsions, all of which call for extensive local knowledge. Even decisions on something as basic as traffic safety require knowledge of the local scene.

Considering the amount of time they work and what they are paid, school board commissioners have been described as a bargain. It is difficult to see how service centre board members could accomplish as much, or be willing to do so for a small honorarium.

Under the proposed legislation, they have been reduced to ciphers, with time at meetings to rubber stamp decisions taken elsewhere. This is perhaps one of the most troubling aspects of the Bill, and we believe it will do a great disservice to the school community as a whole. It is difficult to see how the service centre board will truly have in its control the management and needs of the community it serves.

Commissioners are elected by taxpayers to represent them and are accountable to their communities. English school boards are close to their communities and do not run the schools remotely, as the Minister has suggested. They provide oversight and also serve as a sounding board for parents. They set policy direction based on community needs. Commissioners support small English-language schools and do their best to preserve them because of their importance to the vitality of the community, especially in small regional communities. They defend the needs of the community at large because they have no personal stake in individual schools. They also provide a layer of governance and responsibility.

Commissioners attend governing board and municipal council meetings and serve on city and provincial committees, which grounds them in local events. Bill 40 repeals s.45 of the *Education Act*, which said that commissioners could attend school governing board meetings as observers, but s.45 has not been replaced to allow service centre board members to do so.

- Will service centre boards be able to attend governing board meetings at the schools in their network?
- Will service centre boards adapt Ministry directives to serve local initiatives? Or will they apply directives without taking local realities into account?
- Will they base decisions on finances, or will they take into account the concerns and needs of the diverse communities within the board?

Councils of commissioners can challenge Ministry decisions that appear to impact negatively on student success, or are inimical to the rights and values of the English-speaking community. They can do this because they can approach governments as peers. In contrast, service centres would be miniature branches of the Ministry. Commissioners provide local responses to local needs, even in boards dispersed across large territories. In English-language schools, the gap between students with special needs and “regular” students, and between boys and girls, is smaller than in other jurisdictions. Their school boards have developed targeted initiatives to improve the success of the students on their territories because the school boards know the needs of their communities and how to respond to them.

They are responsible to their local communities by virtue of their elected status, and they provide a face to the community at large for local education concerns. They attend school governing board meetings to gain local input but represent a broader point of view than the concerns of any particular school. They make decisions on global issues such as (in the English school system) policies on French immersion education. It is unlikely that a grassroots initiative like French immersion in Saint-Lambert, which has become an international model, could have been implemented without the support of an elected school board structure.

- Will service centres be able to respond in the same way? Or will they carry out MEES policy in a generic way?
- Would local initiatives be effected if there were service centres reporting directly to the Ministry, rather than school boards reacting to local needs? To ABEE, it seems more likely that this line of reporting would cause decisions to be made on the basis of bureaucratic and financial concerns rather than local needs.
- Who will parents call if they perceive a problem?

There has been no public mention of the impact of a reorganized governance system on adult education centres and vocational training programs. It is difficult to find enough people to establish governing boards for centres but, since they are one component of the school board system, their students' interests are represented by commissioners.

- Who will advocate for adult students under the reorganized system?

2.2.1 Composition of school service centre boards

In 2014, the *Fédération des commissions scolaires du Québec* developed a profile of elected commissioners.¹⁵ It reported that they were fairly balanced between male and female and between parents of children currently in school or not. Three-quarters of them had at least a college diploma and half were professionals or managers. About half had served more than one term as commissioner and 85% were 40 years or older. This gives a picture of an experienced, well-educated group of people with an interest in the education of children. The variety of profiles identified by the *Fédération* also suggests a balance of relevant experience and expertise. A closer examination of the composition of councils of commissioners, especially those in successful boards, would be interesting. Anecdotally, many commissioners have experience in the educational milieu among their attributes. This kind of experience is not better guaranteed under the proposed composition of service centre boards than it is now.

The Chair of the Council of Commissioners is its spokesperson. Removing this responsibility from the Chair of the service centre board further reduces the profile of the board. It is hard to imagine an organization whose chief executive officer (the Director General in the case of the school board) is the spokesperson for the organization as is proposed in Bill 40.

- Will enough parents be willing to give more time to serving on the service centre boards?

The one teacher member of the service centre's board, "designated by their peers," [s.143.1(3)] could be seen as belonging to a special interest group, and this could engender a conflict of interest. They are essentially able to fire or hire personnel, including the Director General, and to decide on budget allocation. They could come under pressure from their unions and as unelected members, they might only answer to

¹⁵ <http://ici.radio-canada.ca/nouvelles/societe/2014/10/24/005-elections-scolaires-commissions-scolaires-comment-ca-marche.shtml>.

their unions and not the taxpayers. Their presence on the Resource Allocation Committee and the proposed commitment to student success committee would be more appropriate.

The criteria proposed in Bill 40 for community membership on service centre boards restrict community representation and provide no requirement for pedagogical expertise. Restricting the composition of service centre boards to a limited number of criteria, none of which include pedagogical expertise, will disenfranchise a large number of knowledgeable people who no longer have children in school, or who have never been parents, including former senior administrators from the school system. Yet they would bring expertise and a wealth of experience to their role, as well as a vested interest in developing a well-educated society. In practical terms, these people also pay school taxes and deserve to vote on how these taxes are used, yet they might only be eligible for the one seat for those with “governance” experience.

All citizens have a vested interest in having an effective education system and well-educated graduates. English-language schools have traditionally welcomed the input of volunteers, including grandparents.

- What will be the role of taxpaying citizens who no longer have a direct link to a school?
- What influence will they have if they neither vote for service centre board members, nor meet the restrictive criteria to serve on the management of service centre boards?
- ABEE recommends removing the restrictions on community members’ eligibility to be candidates for service centre boards.
- ABEE further recommends a return to true universal suffrage as the way of electing service centre board members.

School boards have often been described as being close to parents, responsive to their needs and accountable to the population as a whole.¹⁶ One manifestation of this accountability is the livestreaming of board meetings by most English-language school boards, where facilities exist.

- Will the boards of service centres demonstrate the same degree of transparency?

Bill 40 greatly increases the involvement of parents on the boards of directors of service centres. They will not only constitute the majority of service centre board members, but there will also be the continued presence of one parent from each school on parent committees. The increase in parental involvement at the decision-making level raises several concerns. Their majority status on the board reduces the impact of other members who might have more general and broader experience. Parents generally have a superficial understanding of the system beyond their own school’s circumstances and are less able to effect oversight. Parents may not be willing or able to take on the responsibilities of board membership, especially as this will be added to their membership of their local governing board. There is no evidence that the involvement of

¹⁶ See, for example, <https://montrealgazette.com/opinion/columnists/fariha-naqvi-mohamed-school-boards-remain-essential>.

parents at this level of decision making improves student success (see Section 5 of this brief)

3.0 Governing boards

Since more power will apparently devolve to school governing boards and only parents from governing boards will be eligible to stand for election to service centre boards, it is worth looking at how they will operate. Although governing boards that work well play a valuable management role in schools, their effectiveness varies considerably from school to school. Much of the research on governing boards has been done in the United Kingdom (UK), where they have been a feature of school governance for long enough to be researched over time.

The key features of effective governance at the school level have been identified as:

- clearly defined roles and responsibilities
- strong leadership
- a chair who can effectively lead and manage the governing body
- good communication between the headteacher¹⁷ and governing body
- support for the headteacher
- a shared vision for the school
- the regular monitoring of performance data, school improvement plans and targets.¹⁸

Criteria such as these imply the need for training parents to serve on governing boards, which has been acknowledged by the Minister. School boards develop and conduct this kind of training but, even if it is well received, it must be done yearly because of the high turnover of parent members. The criterion of regular monitoring also implies the need for a body to carry out this monitoring.

Parents' good intentions to participate in the governing board's activities are sometimes defeated by other important family or work responsibilities. Life today is more demanding for parents, who cannot be as present in schools as they used to be. Parents usually serve on governing boards only as long as their children are in the school, which leads to high turnover rates. Recruiting parents is more difficult at the secondary level than at the elementary level, and it is even harder to fill governing board positions in the adult sector. Governing board members often come from a place of privilege so underprivileged families are often under-represented. Some parents are happy to defer to the educators, particularly the principal—"they're the experts,"—while others want to micromanage all the other partners. Governing boards are not as invested in the big picture as are existing councils of commissioners. Some governing board members are there because they have a particular agenda regarding an issue relating to their children.

¹⁷ In the U.K., the headteacher is the equivalent of the principal in Québec and "headteacher" should be read as "principal."

¹⁸ T. McCrone, C. Southcott and N. George (2011). *Governance Models in Schools* (Slough: NFER), p 12.

This is not necessarily a negative thing, but it is a narrow vision of the needs and operations of the whole school.

It is becoming more difficult to find people with the depth and breadth of knowledge to serve. This is true in certain urban areas populated by immigrant families with a poor command of the language and reflects the experience of a British principal who responded to a survey by saying that “willing volunteers may not always make expert governors.”¹⁹

In a community such as mine, one of the issues is that a lot of my stakeholders are new to the country. They are keen and interested in their children’s education and they want to get involved, but they do not have a great understanding of the system and a lot of them would never have been on a committee of any kind at all. There are a lot of issues about them developing their expertise. I think that is a big issue.²⁰

While many English-speaking parents in Québec choose to send their children to French-language schools, they themselves may not be proficient in French so they do not offer to become governing board members, and would be less likely to serve on service centre boards. Their concerns are therefore not represented. In remote regions, English-language schools are small and families live far away from them, resulting in a small parent pool to choose from.

Another large-scale study from the UK showed that:

. . . recruitment and retention of governors is a serious challenge.... A 2014 report from the University of Bath found that there was a shortage of potential parent governors and willing volunteers from staff and the wider community. It also found that ‘recruiting governors is harder in special schools and primary schools, schools serving disadvantaged areas, schools in urban/city and town locations, schools with below average levels of pupil attainment . . .’²¹

A third major study of school governing bodies considered their composition, recruitment, roles, challenges and alternatives. It reported as follows:

Several witnesses suggested that greater consideration should be given to federated models of governance. This was partly in order to address the issue of chronic vacancies on governing bodies and the challenges in filling these vacancies with appropriately skilled individuals, and also to address the fact that some schools are simply too small to carry out cost-efficiently [their] operational functions . . .²²

¹⁹ <https://publications.parliament.uk/pa/cm201314/cmselect/cmeduc/365/365.pdf>

²⁰ *ibid*

²¹ “School Governance,” Nancy Wilkinson, House of Commons Briefing Paper Number 08072, August 4, 2017, p.9.

https://www.legco.gov.hk/general/english/library/stay_informed_overseas_policy_updates/school_governance.pdf.

²² House of Commons Education Committee, “The Role of School Governing Bodies, Second Report of Session 2013–14, Volume I Report, Together with Formal Minutes.” Published on Thursday, July 4, 2013, by authority of the House of Commons (London: The Stationery Office Limited, 2013), p. 40.

<https://publications.parliament.uk/pa/cm201314/cmselect/cmeduc/365/365.pdf>.

Among the findings of this study on in-school governing bodies, we read:

[A] parent is very well placed to ask sensible and sound questions about the performance of the school, providing they have the correct data, they are appropriately trained, and the data are presented to them in a way that they are able to understand and manage. (pp. 7, 8)

“It is essential that they themselves are also subject to scrutiny and a robust system of accountability based on clear expectations.” (p. 21)

“[the] whole issue of more autonomy . . . by definition means more risk and it therefore means you absolutely need better governors.” (p. 36)

“[T]he potential dangers that some [governing bodies] could face in controlling budgets which were once overseen by local authorities.” (p. 39)

“There are much better and more effective ways of engaging with parent representation—which is incredibly important [...]— such as in a separate forum, rather than having one or two parents who may, frankly, have particular vested interests.” (p. 41).

The issues of training needs, accountability, budget management and some governors’ narrow views of needs led the researchers to identify the need for an intermediate decision-making body situated between the central and local levels. This sounds very much like Québec’s school board system. Yet to be eligible to sit on the proposed school service centre’s board of directors, parents must already be members of a school’s governing board. This adds an extra burden and introduces other concerns.

English-language school boards in the regions often operate in a widely dispersed geographic area, making travel a major issue. ABEE questions how many parents from Val d’Or or Sept Îles, for example, would be willing or available to spend up to three days for the sake of one meeting. Teleconferencing would be a possible solution, but only when the infrastructure is more robust than currently exists in some areas. Another result of remoteness is the problem that parents in small remote communities will have in campaigning effectively against those living closer to the denser population centres. Will this mean a concentration of control in urban areas and a lack of influence in remote areas?

- ABEE recommends that all elected members of the school service centre’s board of directors, including parents, be selected on the basis of wards, as school board commissioners are at present.

Premier Legault has been quoted as saying: “The government is stating that school governing boards will have more responsibilities. And since parents sit on the governing boards, they will have many more powers and a say in how their children’s schools function and which services they offer.”²³

²³ <https://www.lapresse.ca/actualites/education/201812/13/01-5207981-commissions-scolaires-une-declaration-de-legault-cause-la-surprise.php>. “Le gouvernement fait valoir que les conseils d’établissement des écoles auront plus de responsabilités. Et comme des parents siègent aux conseils d’établissement, ils ‘auront bien plus de pouvoirs et leur mot à dire pour le fonctionnement et les services offerts dans les écoles de leurs enfants.’”

- To what extent will governing boards be able to carry out their responsibilities completely independently of the Ministère de l'Éducation et de l'Enseignement supérieur?
- Will governing boards be granted substantive financial and administrative authority to allow them to fully manage and control their own schools? What training will they receive to allow them to do this?
- Where will accountability and liability lie? Will individual schools need liability insurance?
- Will governing boards be accountable to the Minister of Education? If so, there will be no real transfer of management and control to the local level.
- Would they be accountable, on the other hand, only to the community they serve?
- What kind of political representation will governing boards have in discussions with the Minister of Education?
- Would the governing board “own the school,” or would ownership of the school be transferred to the Ministère de l'Éducation et de l'Enseignement supérieur?
- Do parents in Québec want more responsibility for the services offered to their children?
- Do they have the capacity to take on that responsibility?
- Given the devolution of certain powers to the governing board, how much of a time commitment will this be for them?
- Will there be any remuneration for governing board members?
- Will there be enough parents to fill the spaces on governing boards, especially in the very small schools in the regions?
- What will happen if schools and centres are unable to form governing boards with enough members to feed into the service centre board in a truly representative way?

4.0 Local governance (and student success)

ABEE reiterates some of the findings on parental involvement from its brief on Bill 86²⁴:

Parental involvement may be accomplished in a variety of ways. According to Tangri and Moles (1987),²⁵ this may include:

²⁴ A Brief to the Minister of Education and Higher Education and to the Committee on Culture and Education Regarding Bill 86: An Act to Modify the Organization and Governance of School Boards to Give Schools a Greater Say in Decision-Making and Ensure Parents' Presence Within Each School Board's Decision-Making Body

²⁵ S. Tangri, and O Moles, *Parents and the Community*, in *Educators' Handbook: A Research Perspective*, V. Richardson-Koehler ed. (New York/London: Longman Press, 1987), cited in Kathleen Cotton and Karen Reed Wikelund, “The Effects of Parent Involvement in School Governance,” in *Parent Involvement in*

parents serving as paid classroom aides, parents working as volunteers, home-school communications, phone contacts, home visits, parent-teacher conferences, homework assistance, home tutoring, and home educational environment.

However they note that the available research is inconclusive about the effects and impact of parent involvement in decision-making on student achievement.

Cotton and Karen Reed Wikelund's survey emphasizes this concern about the direct effects of parental involvement:

In this review, no examples were found of programs in which parent participation in decision-making roles could be directly linked to improved student achievement. The relationship between parent participation in decision-making and student achievement is not nearly as extensively researched as the effects of parent involvement in students' learning. Indeed, writers on the topic indicate that it is more difficult to assess the effects of parent involvement in decision-making precisely because the connection to student outcomes is more indirect.

Of the half-dozen documents which do address the connection between parent involvement in decision-making and student achievement, none were able to offer evidence of a causal relationship, though some writers seem to believe that such a relationship exists.²⁶

Bradshaw and Osborne write that:

Although few studies have focused on the link between effective board governance and high levels of student achievement, this is, in fact, the primary responsibility of school boards. The boards that function effectively and efficiently are those that are able to focus on a clear strategic plan aimed at improving student achievement.²⁷

And this is the stated mission of commissioners across the English educational network: commissioners have student success as a focus. They decide how complementary services and support services for students with special needs are best allocated. They support local initiatives to promote student achievement, such as the network of ten Outreach schools in the English-Montréal School Board and the success rates in English schools attest to the effectiveness of such initiatives. Student success is the focus of the deliberations of English-language school boards as a whole, making ABEE question the need for the commitment-to-student-success committee proposed in s.193.6 of the Bill. The functions of this committee (s.193.7) are already in effect in English-language school

Education (Office of Educational Research and Improvement (OERI), U.S. Department of Education, Contract Number 400-86-0006, May 1989).
<http://multiculturalaleducole.pbworks.com/w/file/attach/55317746/ParentInvolvementiEducation.pdf>.

²⁶ Cotton and Reed Wikelund, *op cit*.

²⁷ Patricia Bradshaw and Rachel Osborne, "School Boards: Emerging Governance Challenges," *Education Canada*, vol. 50 (1), 2010, 46-47.

boards, notably the data-driven practice supported by the Evidence-based Practice Project.

5.0 Learning from elsewhere

We can learn a lot from the experiences of other jurisdictions (we have already cited some of them) but we must remember the geographic and demographic situation in Québec, compared with provinces such as New Brunswick or Nova Scotia, or a country such as Scotland. Demographic factors like population size and distribution in rural areas exacerbate certain problems, such as travel requirements for parent volunteers to attend meetings or to take part in training sessions. These factors are especially salient for the English-speaking population in the regions. In spite of the differences, we can learn from the experience of jurisdictions that have attempted to establish a balance between local and centralized school governance.

The OECD considered the relationship between school autonomy and performance using evidence gathered through the PISA for 64 countries. It concluded that this was a complex relationship including not only autonomy in deciding curriculum, evaluation procedures and choice of textbooks, but also the level of accountability, such as the publication of results. It did not study the impact of parent involvement.²⁸

The European Union established a working group “to develop ideas and share policy-making practices concerning the governance of school education systems to promote equity and excellence with a focus on supporting school and teacher development.”²⁹ It proposed the need for a balance between centralized and school-based change. “Policy-making in education should aim to create the conditions for multiple stakeholders to jointly initiate development and improvement, and for balancing school- and system-led change.”³⁰ It noted that, “across Europe, the role of central government is increasingly focused on supporting and enabling change at local level, rather than prescribing it.”³¹

In England, Wales and Northern Ireland, school governors provide strategic leadership and accountability in schools through three core functions:

- Ensuring clarity of vision, ethos and strategic direction
- Holding senior leaders to account for the educational performance of the school and its pupils

²⁸ OECD (2011) PISA *in Focus* (2011/9) *School Autonomy and Accountability: Are They Related to Student Performance?* <https://www.oecd.org/pisa/pisaproducts/pisainfocus/48910490.pdf>

²⁹ *European Ideas for Better Learning: The Governance of School Education Systems, The Final Report and Thematic Outputs of the ET2020 Working Group Schools*, produced by the ET 2020 Working Group Schools. <https://www.schooleducationgateway.eu/downloads/Governance/2018-wgs6-Full-Final-Output.pdf> p.2

³⁰ *ibid*, p.2.

³¹ *ibid*, p.6.

- Overseeing the financial performance of the school and making sure its money is well spent³²

The school governing board or board of trustees operates at a strategic level, with the headteacher and senior leaders responsible for the day-to-day running of the school. As described by the Department for Education, the board's role is to "hold the headteacher to account for exercising their professional judgement" over the educational performance of the school and for the internal organization and management of the school."³³

In the U.K., the House of Commons Education Committee's extensive study of school governing bodies, including their composition, recruitment, roles, challenges and alternatives, identified an intermediate decision-making body between the central and local levels and echoed a potential problem for English-language schools in Québec, namely the inability of small schools to function independently.

In England (and the Netherlands) the majority of decision-making is devolved to the school level, in contrast with other countries across Europe.³⁴ The roles and responsibilities of governing bodies are statutory and, among their other duties, governors are responsible for training, recruitment, salary scales, performance reviews and the dismissal of ineffective headteachers and senior leadership staff.

Governors responding to a survey strongly agreed on the need for training and appreciated the training they had received, even as they resented the need to travel to obtain it. This is a much greater concern in rural Québec than in the substantially smaller countries studied.

Governing boards in the U.K. have access to a clerk, who is seen to be pivotal in their functioning. A single clerk supports several governing boards in a district and seems to function in a way similar to that of the secretary general in Québec school boards, although with more contact with individual governing boards. Since the governing boards of some schools have control over the school's budget and the hiring of principals and staff, the support and advice of the clerk is especially needed.

In Scotland, the central government sets national education policy to support a school and teacher-led system. It negotiates salaries and contracts and maintains national qualification standards. Local authorities are responsible for childcare services, school support services, the hiring of school administrators, the provision of denominational and minority language (Gaelic) schools, the channeling of funding, budget accountability and improvement initiatives.³⁵ Scottish schools have parent councils to maintain links with the school community.

³²https://www.legco.gov.hk/general/english/library/stay_informed_overseas_policy_updates/school_governance.pdf. *School Governance*, Nancy Wilkinson, House of Commons Briefing Paper Number 08072, August 4, 2017,

³³ *ibid*, p. 8.

³⁴ OECD (2008), *Education at a Glance 2008: OECD Indicators*, OECD Publishing, Paris, <https://doi.org/10.1787/eag-2008-en>.

³⁵ <https://www.gov.scot/publications/education-governance-next-steps-empowering-teachers-parents-communities-deliver-excellence/>

There are parallels between the functioning of Québec governing boards and that of parent councils in the Scottish education system.

Parent councils can:

- provide a voice for parents, in schools and in their local authority, on issues that are important to them and their children
- help the school understand how to most effectively involve parents in their children’s learning and in the life of the school
- support the school and headteacher in developing strong home/school partnerships
- support the school in its development and improvement, and in understanding and making links with the wider community
- capture the unique and varied skills, interests, knowledge and experience that parents can offer

Each school community is unique and there is a wide range of educational issues on which parents may wish to contribute their views.³⁶

Parent councils are one feature of Scotland’s education policy, whose document on reformed school governance begins with its goals of “excellent school leaders and teachers, strong curriculum and improvement support, more transparent measures of progress, and engaged parents and communities.” The Scottish government’s role is “to provide the right support for teachers and practitioners to deliver excellent learning and teaching. They must have the freedom to make decisions—and government must ensure they have the training, resources and skills to deliver.”³⁷

These admirable goals were endorsed by Keir Bloomer, Chair of the Commission on School Reform, who wrote:

[The] concept of a ‘school and teacher-led system’ has the capacity to transform the quality of educational decision-making for the better. Giving headteachers much-increased control over staffing, the curriculum and the use of funding is, without question, the best way of improving performance and raising standards.³⁸

He continues, however, with a consideration of the devolved powers and how authentic they will be. He also questions how much control headteachers will really have over budgets and how constrained they will be by group purchasing. Group purchasing, undertaken by a central group such as the school board, is in fact usually more economical, although without the school’s input it may fail to satisfy the school’s needs.

“In Nova Scotia, Prince Edward Island and the Yukon, governments eliminated the school boards of the English majority but maintained the French school boards, precisely

³⁶ <https://education.gov.scot/parentzone/getting-involved/parent-councils/About%20parent%20councils>

³⁷ Education Governance – Next steps, June 15, 2017. [Learning Directorate](#).

ISBN: 9781788510455. <https://www.gov.scot/publications/education-governance-next-steps-empowering-teachers-parents-communities-deliver-excellence/>.

³⁸ <https://reformscotland.com/2017/07/reform-of-school-governance-keir-bloomer/>.

in order to comply with the educational rights of the French-speaking minority—in other words, to be fully Charter compliant.”³⁹

Another comparison with Québec’s proposed changes may be found in Nova Scotia’s experience with School Advisory Councils, its equivalent of governing boards:

The Nova Scotia government established School Advisory Councils (SACs) in 1995 that “provided periodic advice and improved school-community communications, but did little to shift the locus of education decision-making⁴⁰ . . . Since 1995, School Advisory Councils (SACs) have struggled and floundered, most functioning under the thumb of principals and some competing with holdover home and school groups for legitimacy and recognition. Today, scanning school websites, you will look in vain for the names and contact information for anyone on the school advisory councils. If you inquire about the SAC, you are immediately referred to the school principal.... Like most informed parents, engaged citizens, and awakened communities, small school advocates find themselves on the outside looking in and puzzled by why our provincial school systems are so top down, bureaucratic, distant and seemingly impervious to change . . .”⁴¹

Of particular relevance to English-speaking Quebecers is Nova Scotia’s use of school community-based governance, which includes people other than parents and gives the opportunity for input from people who no longer have children in the school system. It is also interesting that small schools in Nova Scotia—and there are many in Québec’s regions—perceive the reformed governance system as remote and as falling short of the local governance envisioned by the reformers.

Summary

ABEE represents members of the English-speaking education community in Québec. This brief has tried to focus its comments on its community’s concerns about the impact of reorganization of school governance on the English school system, reflected in questions that remain unanswered in Bill 40.

ABEE thanks the Minister for addressing some of the concerns of the English-speaking minority system in this Bill. We freely acknowledge that there is always room for improvement in any system and that individual school boards may need more attention than others. ABEE respectfully advises the Minister to consider a system of school governance that will capitalize on what is working well in existing school boards and to solve individual problems, where they exist. As it has done for 27 years, ABEE remains committed to working with the Minister for the benefit of the English-language school system.

³⁹ <https://montrealgazette.com/news/local-news/west-island-gazette/kramberger-will-west-islanders-fight-to-save-the-english-school-board>

⁴⁰ <https://educhatter.wordpress.com/category/education-bureaucracy/>.

⁴¹ Ibid.

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