



November 20, 2017

The Honourable Rob Fleming
Minister of Education
Ministry of Education
P.O. Box 9045, Stn Prov Govt
Victoria, British Columbia V8W 9E2

Subject: Follow-up action required in light of the report prepared by the Standing Senate Committee on Official Languages on the challenges faced by British Columbia's French-language community with regard to access to education

Dear Minister:

On behalf of the Conseil scolaire francophone de Colombie-Britannique (the "CSF"), I would like to congratulate you once again on your appointment as Minister of Education. As you know, the challenges we face in education are numerous, particularly in the area of French first language education, as guaranteed by section 23 of the Canadian Charter of Rights and Freedoms (the "Charter"). The CSF would like to share with you a report published by the Standing Senate Committee on Official Languages (the "Senate Committee") on May 31 of this year, laying out the major challenges experienced by British Columbia's French-language community with regard to access to education.

To provide you with some background: the CSF was established in 1995 to provide French-language education at the elementary and secondary levels in British Columbia, as guaranteed by section 23 of the Charter. Today, the CSF operates 40 schools throughout the province and has nearly 6,000 students from kindergarten through grade 12.

However, since the beginning of its mandate, and even before the CSF was established to provide and manage French-language education, the French-language community has had to be vigilant in its efforts to assert its Charter rights. In 2010, the deplorable state of some French-language schools and the lack of funding, particularly in the areas of infrastructure and transportation, led the CSF, the Fédération des parents francophones de Colombie-Britannique ("FPFCB" – Federation of Francophone Parents of British Columbia) and some parents to bring a legal action against the province.

On September 26, 2016, Justice Russell of the Supreme Court of British Columbia delivered her judgment in the action brought by the CSF, the FPFCB and some parents as co-plaintiffs. It led to a number of gains, in particular in the area of demands regarding the system for funding school

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infrastructure and the province's obligations to help the CSF identify and acquire land on which to build schools. The province and the CSF have appealed certain aspects of the judgment. However, since the decision was handed down, the CSF has been working closely with Ministry of Education officials to implement a number of the gains resulting from the judgment that are not subject to appeal.

Since the decision was handed down, representatives of the Ministry and the CSF have been meeting regularly to implement the gains resulting from the judgment that are not subject to appeal. To date, the two parties have made significant progress, especially in Vancouver, where the Ministry helped the CSF lease three Vancouver School Board schools that had been closed (the Henderson, Maquinna and Laurier annexes), as temporary solutions to the CSF's infrastructure needs. Although discussions are progressing apace, the work is far from being completed. An enormous amount remains to be done to repair the harm caused by the inaction of the previous government.

On this subject, I would like to draw your attention to a report by the Senate Committee describing the major challenges faced by British Columbia's French-language community. The Senate Committee's report, entitled: Horizon 2018: Toward Stronger Support of French-language Learning in British Columbia, is available online at the following URL:

https://sencanada.ca/content/sen/committee/421/OLLO/reports/OLLO_2017-03-29_Interactive_e.pdf.

The Senate Committee found that parents who are entitled to have their children educated in French under section 23 of the Charter face a lack of school infrastructure and schools that are overcrowded and in a poor state of repair, and as a result these children run the risk of being deprived of the language rights they acquired by birth.

The report provides 17 useful recommendations for the advancement of French-language education in British Columbia. The CSF would like to draw your attention to recommendations 1, 2, 8, 10, 12 to 15 and 17, which are of direct interest to your Ministry, but also to others that relate indirectly to the mandate of the Ministry of Education. Although these recommendations are primarily aimed at the federal government to enlist its support for British Columbia's French-language community, a number of the recommendations are also aimed at your Ministry and require the cooperation of the Ministry of Education, the federal government and the CSF to be implemented.

The Senate Committee is optimistic about the solutions, particularly as in 2018, the federal government will be renegotiating the Protocol for Agreements for Minority-Language Education and Second-Language Instruction with the province. However, it is imperative that your government collaborate with the federal government and the CSF in order to implement the required solutions.

At the time of the Senate study, the previous provincial government unfortunately refused to cooperate and take part in the study, thus making it difficult to find practical solutions.¹ The Senate Committee explained that:

[...] the refusal by B.C. government representatives to participate in the study cast a pall over the trip. The testimony heard over the last few months suggests a certain lack of willingness on the part of the provincial government to support the demands of francophones and francophiles to increase opportunities for learning French and the related culture in their province. This lack of participation seems to justify the negative outlook of witnesses, yet federal-provincial collaboration is vital to supporting official languages in education.²

The time is ripe to renew the relationship and re-engage in a positive dialogue to find solutions to the major challenges facing the CSF throughout the province. The CSF, the federal government and, we hope, the province, are ready to work together. Your government must correct the mistakes of the previous government.

We look forward to joining with you and your team without delay to continue the work and implement solutions.

Sincerely,

A handwritten signature in black ink, appearing to read 'M. Lapierre', is enclosed in a light grey rectangular box.

Marie-France Lapierre
Chairperson

Cc: Honourable Carol James, Minister of Finance and Deputy Minister
Dr. Andrew Weaver, Leader of the Opposition
Scott MacDonald, Deputy Minister, Ministry of Education
Okenge Yuma Morisho, Deputy Minister, Intergovernmental Relations

¹ *Horizon 2018: Toward Stronger Support of French-language Learning in British Columbia*, at page ix.

² *Horizon 2018: Toward Stronger Support of French-language Learning in British Columbia*, at page 1.