

ESSB Brief to the Parliamentary Commission on Projet du Loi 86, April 2016

DESCRIPTION:

This deposit is made on behalf of Eastern Shores School Board. Our territory is the largest in the Quebec educational reseau. Including the two large bodies of water separating the North Shore, the Gaspé Coast and the Magdalen Islands, and in order to visit our 16 schools and 6 adult education centers, we must travel more than 2,200 kilometers in circumference. While we are as large as or larger than many countries, we are also, population-wise, as small as a tiny village. Our current youth enrolment is 1150 with approximately another 350 part-time adult education students. ESSB territory has more than 220 municipalities and 20 MRCs; we have three administrative regions (zones...) and two time zones.

CONTEXT:

Our context is both unique and challenging. Eight of our sixteen schools (including one in Metis Beach, two in Chandler, and five on the North Shore (Baie Comeau, Port Cartier, Fermont and two schools in Sept Iles) are populated by a majority of Francophone students who are Law 101 eligible. It is sometimes difficult for us to determine who our Anglophone or Francophone students are because many families identify themselves as both Anglophone and Francophone, or sometimes simply as Bilingual. One of our schools, in New Richmond is 70% First Nations (Mg'Maq). ESSB's profile, in sum, is approximately 60% Anglophone, 30% Francophone, and 10% Aboriginal.

Fourteen of our sixteen schools are designated on the Ministerial map as "milieu défavorisé". By definition, that calculation is one-third based on socio-economic conditions, and two-thirds based on the mother's level of education. According to Statistic Canada numbers (2006), our overall population, particularly on the Gaspé Coast and the Magdalen Islands, "leads" the province in the highest levels of unemployment and dependence on government assistance. Our Anglophones, based on annual family income earn less than their Francophone neighbors. Our Anglophones are also less bilingual than other Anglophones across the province. The sparsity of our in-school enrolment limits our ability to offer several streams of bilingual or immersion choices; we manage with what we have.

From a health and social service standpoint, our Anglophone population is affected by its isolated minority language status because, although many sincere efforts are made by our region's hospitals, CSSSs, and Youth Protection, bilingual services are still difficult to come by, often creating delivery delays by months and years. In particular, territorial and linguistic factors affect our students' access to important bilingual specialists like psychologists and speech therapists. The lack of early intervention impacts negatively on the long term possible application of corrective measures for our most challenged students.

From a Human Relations-employment and mobility standpoint, we are once again challenged by our geography and socio-economic circumstances. Most of our schools are more than 50 kilometers apart and therefore, contractually, makes staff transfers between buildings an administrative impossibility. While teacher recruitment has improved over the years and we are no longer forced, by necessity to engage "unqualified" staff; recruitment of principals and senior administrators remains a challenge. All of our schools contain less than 250 students. Our Quebec salaries are simply not competitive enough to attract qualified candidates from other provinces of Canada insofar as their most senior teachers earn more than all of our principals and most of our senior administrators.

From a financial/operational standpoint, we manage with what we have, but, more and more, we do so with greater difficulty. While the Ministry acknowledges our region's unique challenges and builds into its budgetary parameters special measures that are sensitive to and try to compensate for our territorial size, the fact remains that because of our small student numbers and the socio-economic nature of our clientele, our struggle to have our students continue to succeed remains constant. The last few years of budgetary compressions have been particularly difficult for us. We have no economies of scale. While our French linguistic school board colleagues have suffered similar cuts and drops in enrolment, they still have the advantage of size and closer proximity of their buildings to one another, and, hence, retain some degree of critical mass, and economies of scale. In relative terms, larger boards suffer less from parametric cuts than smaller boards. Cut 2% of Bill Gates salary and cut the rest of us 2%; would the pain be similar or different? The majority of ESSB schools are below critical mass. As of 2015-16, four of our schools have 30 students or less; two of our schools are between 31 and 60 students; five of our schools have between 61-70 students. That leaves just five of our schools with between 71-170 students. We are in the process of closing Entry Island School which, in 2014-15, had only two students. Today there are none. The pain is palpable. The Entry Island community has recently launched a feasibility study in order to protect the cultural and historical nature of what they consider to be "their" school building, "their heritage". We must, as educational institutions, not allow ourselves to forget that even schools with just two students can remain the lifeblood of a community.

From an academic standpoint, despite all the challenges cited above, over the last five years we have done well. It was not too long ago, ESSB found itself almost perennially, at the bottom of the 72 public school boards. In 2014-15, we were **number one** in the province for our five year cohort graduation rates, ninth in the six year cohort, and nineteenth in the seven year cohort.

REACTION TO BILL 86

We do not wish to restate much of what has already been presented to this Parliamentary Commission. We will therefore concentrate on those matters which concern us the most. We are not about politics; we are about producing the winning conditions that drive student success – that is our prime directive, the lens which we use to judge all matters of educational policy.

On the matter of universal suffrage, as an Anglophone school board, we have both a legal and moral responsibility to represent the cultural, social, and economic interests of our stakeholders, for all of these factors impact greatly on the academic success of our student clientele. Make no mistake; our current system of governance works very well for us. Not only did we lead the province in graduation rates in 2014-15, we also led the province in our voter participation rate during the last school board election with 26.17% (for posts in contested elections). From our point of view, if the system isn't broken, why fix it?

The initial reason for launching into a review of the current Education Act was due to concerns about the legitimacy of an election process that had very low voter turnout and was very expensive to run. Our school board operates upon data driven management. When a strategy produces the right results, we maintain it. When it does not, we modify the strategy and yes, sometimes we even abandon the strategy. However, we also follow research-suggested best practices. Incremental change always has a much greater chance of success than systemic change. That is why we agree with the Jennings report (2015).

We recommend that, rather than disenfranchise our Anglophone communities by narrowing the manner in which representatives for school governance are chosen, we maintain but modify the current democratic model of universal suffrage for our communities. We improve upon the manner in which school board governance voting can occur – introducing voting by electronic ballot and coupling said voting with municipal elections. ESSB voters turned out in relatively strong numbers as compared to the rest of the province, despite much longer distances to travel to the ballot box, and the exceptionally bad weather that occurred on voting day, November 2, 2014. Why? Our Anglophone communities continue to recognize the importance of our school board and the need to have wide representation. They want to maintain a strong and effective voice in the choosing of that representation. We believe that, had not the first storm of the winter season occurred on November 2, 2014, our voter participation might have been almost double of what it was. We believe that if voters could have exercised their democratic right that day by electronic ballot, we may have had more than 60% voter participation. We believe that if change to the Education Act must occur, we should err on the side of incremental caution, and provide the democratic option that encourages the widest participatory vote amongst our population. Universal suffrage voting reduces the chance that vested interest groups, within a more narrow selection process, can end up “controlling” a school board by pressing their own agenda, at the expense of others. Again, to fall back on research-driven best practices, decision-making power is given to those who: (1) have the expertise to make the decision; and (2) in making the decision, are not in a position to personally benefit.

On the matter of WHO provides the governance of school boards, we agree with the Jennings Report (2015) recommendations. We believe that parents should be an important constituent group in the decision-making process, and be reserved voting membership places in the governance of school boards. This change in the number of seats for parents and the investiture of their voting within the school board governance structure can be effected without major changes to the Education Act. However, we still have practical concerns. Specifically designated numbers reserved for parents has not always worked well within ESSB. Historically, for example, on our important Special Needs Advisory Committee (or SNAC), we have difficulty fulfilling the required target of seven parents who have special needs children. This is telling; if any committee should motivate parental interest, SNAC is it. But our milieu défavorisé conditions impact on our ability to recruit parents for the SNAC. We fear, under the current text of PL 86, that our ability to attract parents for the proposed School Committee might be the same - for those same parents would have to be replaced at the local Governing Board level, and, like the SNAC, we also have had trouble establishing minimum parent participation for the Governing Board. When our principals call the first Governing Board meeting each September to elect parent representation, it is often the case that those who show up become automatic draftees to these posts. Distance from the school to home, as well as socio-economic factors, play an important obstructional role.

We also do not believe that staff should vote on matters of governance. This could set the stage for potential conflict of interest, and contradicts that which we referred to above based on best research practices for granting decision-making authority. The current provincial collective agreements provide the necessary outlets for consultative input on all major decision-making processes, within the various parity committees prescribed. Community members from designated interest groups should also NOT be given voting seats in the governance of school boards; if they wish to have a say, they are entitled to seek election through universal suffrage, like everyone else.

On the matter of devolution of powers to local control, we remain somewhat conflicted on this point. We already give our local schools and adult education centers a lot of autonomy in the decision-making process. We do so by virtue of necessity. We are the 2nd or 3rd smallest school board in the province. Our head office is situated almost a day's travel from some of our buildings. The bureaucratic demands for accountability with our various partners and Ministerial departments have increased over the years. Our responsibility to meet those demands is no different from the larger boards, but those larger boards have much larger staffs to share the workload with. Our principals tell us that they are inundated enough with the regular "maintenance" of their schools and centers, and always wish to prioritize the greatest amount of their time on contact with students and staff. They are not looking to further increase their management responsibilities, as would happen under the proposed PL 86.

Mary Parker Follett, in her seminal article on organizational theory wrote "The Giving of Orders" (1927) a treatise against the notion of scientific, top-down management. Follett believed that the chance of an order being obeyed was inversely proportional to the distance it traveled. This was a powerful statement on the virtues of site-based management. However, under the proposals of Bill 86, the number of controls envisaged in the hands of the Minister contradicts the spirit of "local control". Therein lays the delicate balance between central versus decentralized governance. School boards reduce the distance between where the orders are given and where they are received, and provide a more regional buffer zone between schools and the Ministry. If schools are given too much authority, they become like silos, operating to the call of their own tune and individual structure. There is the potential for a less harmonic vision of how the whole is NOT greater than the sum of its parts. Follett also wrote that the best orders are not given by people; the situation tells everyone what is best to be done and compels them to do so. We experienced this situation within ESSB when we were clearly underperforming, relative to the province. Being at the bottom of the pile was an unsavory position for our students, their families, and our staff. We owed all of our stakeholders much better than that. And so, together, central office, the schools, the centers, our teachers, our principals, our support staff, our consultants, our coordinators, our directors and our commissioners, acting as a large singular unit with a shared vision and collective purpose, produced real change. We did not do it overnight. We did not overhaul things systemically. We operated with what we had, took it one step at a time and, slowly but surely, were able to make a substantive difference in our results – one which we hope will be long-lasting.

On the complexity of change, we understand and recognize the responsibility of the Ministry in the matter of school governance for, after all, school boards, too, are government, albeit on a much smaller scale. However, the complexities of decision-making at any responsible level are indeed daunting.

Thomas F. Green in *Policy Questions: A Conceptual Study (1994)* wrote:

"The problems of education finance provide about as clear a model of policy questions generally as it is possible to shape. The policy issues are always 'nested' within a set of mutually incompatible values or goods:

- Equal educational opportunity for children
- An equitable distribution of the tax burden
- Local control of education
- Responsible management of the State budget

Maximizing any one of these goods, that is, getting as much of it as we can, will inhibit the advancement of the others. The policy problem is generated by the fact that we accept all four of these aims and yet they cannot be maximized...Such advancements and retreats, stories of steps taken and then taken back, are not unusual in movements of school reform or in efforts at change in public policy generally. Such adjustments are likely to result more from the presence of incompatible values or goods than from administrative bungling or blindness, or from inefficiency, or from political chicanery, or legislative incompetence.”

This view by Thomas F. Green instructs on the possible disruption that would be caused if individual schools were given too much authority over larger tracts of goods and services. This would almost certainly pit school against school and center against center insofar as the supply of the goods and services that they all share is limited in both time and money. School boards provide that centralized vision and ensure a fairer distribution of goods and service that is more equitable amongst “competing” schools and centers, such that the squeaky wheel does not always get the grease it demands, because others have legitimate needs as well.

IN CONCLUSION:

We, at ESSB, are fearful that the vast number of changes imposed by PL 86 will be a formulaic disaster for us. We are not an easy one size fits all, as our special context clearly indicates. We have been able to work under the current Education Act and provide very credible student success results. Understandably, we do not wish to put at risk those working conditions that have led to our improvements. Can we do even better? Absolutely! Are we afraid of change? No! Are we afraid of too much change where there is no certainty that vast changes will produce better results? You bet we are! Are we afraid that governance changes suggested by the Ministry, as proposed by PL 86, will affect our constitutional protections to manage our own school boards as an Anglophone community of communities? Yes. And we wish to remind the Ministry of the legal precedent established by the Supreme Court in 1989-90 regarding the Alberta Mahe case. Minority language communities must maintain control over the education of their children, not in the narrower view of the provincial government of the day (whose mandate is but four years) but in the wider view of the affected minority language community, whose mandate is indefinite!

SUMMARY OF RECOMMENDATIONS (listed above):

- Maintain, but modify the current democratic model of universal suffrage for our communities.
- Improve upon the manner in which school board governance voting can occur – introducing voting by electronic ballot and coupling said voting with municipal elections.
- Parents should be guaranteed a number of seats in the governance of school boards and be entitled to vote.
- Staff members should not be given voting seats in the governance of school boards.
- Community members from designated interest groups should not be given voting seats in the governance of school boards; if they wish to have a say, they are entitled to seek election through universal suffrage, like everyone else.

ADDITIONAL RECOMMENDATION ON GOVERNANCE

- Powers of the Education Minister to intervene in the operations of a school board should continue to be restricted, as per the current Education Act, and not broadened as in PL 86. Said Ministerial intervention should occur only in the case of individual Board mismanagement of funds, or in the case of serious, inappropriate set of behaviors by a Board that impacts significantly on student success. The Education Act and resulting Ministerial policies should not be sweeping in corrective scope but target, with precision, those few school boards who demonstrate, through their policies and actions taken, to be acting against the greater public good. In short, do not, through legislation, punish the vast majority for the actions of a few.

Respectfully Submitted on behalf of Eastern Shores School Board

A handwritten signature in black ink that reads "Wade Gifford". The signature is written in a cursive, slightly slanted style.

Wade Gifford
Chairperson