



Brief presented by

**Quebec English School Boards Association
(QESBA)**

**To the Committee on Culture and Education
of the National Assembly**

Special consultations and public hearings

on Bill 94

***An Act to, in particular, reinforce laicity in the education network
and to amend various legislative provisions***

April 2025

The Quebec English School Boards Association (QESBA) is pleased to be one of the groups given the opportunity to appear before these Parliamentary Commission hearings on Bill 94, *An Act to, in particular, reinforce laicity in the education network and to amend various legislative provisions*.

The QESBA is profoundly disappointed and concerned about this Bill. This Bill extends the application of many “laicity” provisions of Bill 21 deeper into the education system. It is a sledgehammer: a disproportionate response to isolated cases. What happened at Bedford School is neither tolerable nor defensible. But the answer should not be found by adding a swath of new prohibitions and requirements in all schools province-wide and invoking the notwithstanding clause. This is a grossly excessive response to marginal cases that have been sensationalised as a widespread problem.

Some of the new provisions *might* better support principals in the exercise of their statutory responsibilities; however, there is a lack of concrete means put forward to support principals and teachers, and thus, the likelihood that any of these provisions will actually support principals and teachers, improve services to students, and improve student success outcomes is very low.

Fundamentally, this Bill fails to recognize that the English-language school boards have a distinct character and governance system. In addition to trampling upon religious freedoms and equality rights, it runs roughshod over the rights of community management and control guaranteed in s. 23 of the *Canadian Charter of Rights and Freedoms*.

This brief describes the QESBA’s comments on the overall approach and rationale for Bill 94. Next, it presents key points in four areas: (1) the character and governance of English-language school boards; (2) the extension of the “laicity” provisions; (3) the teacher management provisions; and (4) the educational services quality committee.

QESBA and the Nine English Member Boards

The nine member Boards of QESBA serve some 100,000 students in over 300 elementary and high schools, adult and vocational centres across Québec, and employ over 20,000 people. Each Board has its unique demographic character, orientation and history. All of them share a particular sensibility to delivering public education services, with equal regard for all creeds, religions and cultures.

QESBA would point to at least four elements to describe that sensibility:

- ***An educational approach based on “teaching the student, not the subject”***, that is, in the spirit of Québec’s reform, to focus on the acquisition of competencies as well as knowledge, to encourage critical judgment, citizenship, enquiry and teamwork.
- ***Parent and community involvement***: as our school boards answer to the taxpayers, our schools must be accessible to and transparent towards their parents and community.
- ***A commitment to preparing our students for a future in Québec***: This commitment starts with the extensive concentration on French second-language. It is the mission of each of our school boards to provide every student with the opportunity to master French. The commitment contributes to the full participation of our students in the Québec of today and tomorrow and extends to a general approach to teaching the arts, literature and history and including extra-curricular activities that are cognizant and respectful of Québec’s rich and unique character.
- ***A recognition of our particular status as English-speaking institutions***: Québec’s English-speaking community, in all its diversity, continues to contribute to the rich tapestry of Québec life. English public school boards, representing the sole level of elected government answerable to that community, assume as part of their mission, the job of teaching about and strengthening that fundamental contribution.

Our 306 English public schools and centres are contributing to the future strength of the French language by offering state-of-the-art intensive French second-language programs that often go far beyond the requirements of the government-prescribed curriculum. A growing percentage of English public school students are completing the French mother-tongue exams at the end of their high school studies and succeeding in many cases better than their francophone *concitoyens*.

Bill 94 is a sledgehammer solution in search of a problem

Bill 94 is based on two main reports: the *Rapport d’enquête sur l’administration, l’organisation et le fonctionnement du Centre de services scolaires de Montréal et de l’école Bedford* (June 2024), and the *Rapport de vérification des mesures prévues par la Loi sur laïcité de l’État* (January 2025), both of which relate to alleged non-compliance with the *Act respecting laicity of the state* (Bill 21). However, a rigorous reading of these documents reveals fragmentary findings, which are far from a solid evidentiary basis to justify new binding legislative measures across the entire school network. The conclusions of these

reports far from demonstrate a systemic problem that would require such a legislative response.

Rapport d'enquête sur l'administration, l'organisation et le fonctionnement du Centre de services scolaires de Montréal et de l'école Bedford (June 2024): Bill 94 has its origins in an isolated incident at Bedford elementary school, where some teachers engaged in problematic behaviour, created an unhealthy work environment, displayed religious beliefs and failed in their professional obligations. Although this situation gave rise to public and political debate, it is not a widespread phenomenon, nor is it a systemic crisis requiring a major overhaul of the legislative framework governing teaching in Quebec.

Rapport de vérification des mesures prévues par la Loi sur la laïcité de l'État (January 2025) : Firstly, the inspectors of the 17 establishments found no contraventions of the requirement for staff to have their faces uncovered. All members of staff complied with this provision, and there was no evidence or documents to suggest any infringement had taken place. Secondly, with regard to prohibition on the wearing of religious symbols by teachers and principals (excluding those subject to the grandfather clause), the inspectors found no school principals wearing any religious symbols, and that most of the teachers concerned were subject to the grandfather clause provided in Bill 21. The only contravention found concerned an employee who worked as a supply teacher for a school service centre. None of these schools are in the English-language network. Finally, during their visits to the schools, the auditors did observed no religious activities or courses.

The proposed solution is wall-to-wall: a “solution” to a false problem

By choosing to introduce far-reaching legislation on the basis of an isolated case, the government is demonstrating a logic of abusive generalization. Targeted administrative intervention, such as a local investigation, a call to order or a clear framework of professional expectations, would have been sufficient to respond adequately to the situation at Bedford elementary. Instead, Bill 94 proposes a “wall-to-wall” approach, imposing new obligations on all Quebec teachers that go far beyond what the Bedford situation justified.

Under these conditions, the adoption of additional, centralizing, wall-to-wall measures is totally disproportionate. It does not correct a flaw in the existing law, but rather an issue of management and application in extremely marginal cases. In this sense, Bill 94 sets a worrying precedent: that of adding to the legislative framework on the basis of perceptions or isolated cases, without the support of systematic or generalizable evidence.

Over and above the pedagogical issue, this Bill instrumentalizes the concept of “laicity”, creating a false problem to justify excessive centralization of powers. It sets a dangerous

precedent for the balance between teachers' duties, individual rights and institutional responsibilities.

Finally, several elements of the Bill directly affect the working conditions of teaching and support staff, which have traditionally been negotiated between school boards and unions. In this sense, these changes have more to do with the reorganization of local collective agreements than with educational reform aimed at improving the quality of teaching.

This way of legislating is worrying. It reflects a desire for centralized control at the expense of the professional autonomy of teachers and the ability of schools to manage specific cases themselves. It amounts to undermining an entire system in order to solve a problem that could have been resolved by internal mechanisms already in place.

What's more, this overbroad and generalized approach creates a climate of mistrust towards teaching staff, as if an ideological or religious drift were threatening the entire network. There is nothing to suggest that such behaviour is frequent, or that school principals or school boards are unable to manage it when it does occur.

It is therefore essential to question the legitimacy of such a legislative response and to remember that effective public policies must be based on serious observations, evidence and a genuine desire to improve the system, rather than on the politicized management of anecdotal cases.

Key points on Bill 94

1. Bill 94 overall approach: English school boards are distinct in character and governance

Following the Quebec Court of Appeal's decision in the Bill 40 appeal, which found many provisions of Bill 40 unconstitutional,¹ English school boards remain in place.

Nonetheless, Bill 94 avoids using the term "school boards," and this omission is more than a simple change in wording. Bill 94 is based on the post Bill-40 "school service centre" model, and thereby assumes that school service centres serve a primarily administrative function: to apply strict Ministerial directives. This bureaucratic focus betrays a lack of understanding of the educational and democratic mission of English-language school boards, which are not subject to Bill 40. English-language school boards are not simply

¹ *Procureur général du Québec v. Quebec English School Boards Association*, 2025 QCCA 383 [QCCA decision].

transmission conduits, but institutions rooted in their communities and carrying an educational vision adapted to local realities.

School boards are not merely channels for service delivery: in the case of English minority-language boards, they serve as a cornerstone institution of the minority-language community. Minority community management and control in matters of language and culture is essential to the function and character of English school boards. It is also a constitutional requirement. The Quebec Court of Appeal recently re-affirmed these constitutional rights:

[132] The management and control rights arising under s. 23(3)(b) of the *Charter* are those described in *Mahe*. Consequently, the measure of management and control may, depending on the number of students involved, warrant an independent school board for the linguistic minority. Those rights, include, at the very least, the exclusive authority of the minority language representatives to make decisions relating to the minority language instruction and facilities, particularly with regard to: (a) expenditures of funds provided for such instruction and facilities; (b) the appointment and direction of those responsible for the administration of such instruction and facilities; (c) the establishment of programs of instruction; (d) the recruitment and assignment of personnel, including teachers; and (e) the making of agreements for education and services for minority language pupils.²

The Quebec Court of Appeal also recognized that even a provision that is appropriate for the majority is not automatically a justifiable infringement of this right to minority community management: “a legislative measure that is appropriate for the linguistic majority is not necessary in and of itself a sufficient explanation to justify an infringement of a right guaranteed by s. 23 of the *Charter*.”³

English school board autonomy is essential to meet the specific needs of schools, promote educational innovation and support schools in their day-to-day challenges. Minority English-language school boards are in the best position to help minority English-language schools create a healthy and respectful school climate.

Bill 94 fails to take into account that the English network is not subject to the same governance regime as the French system. English school boards benefit from the protection of community management and control guaranteed by s. 23 of the *Charter*. Neither Bill 40

² QCCA decision, para 132; footnote omitted, emphasis added.

³ QCCA decision, para 220.

nor Bill 23 are in effect for English school boards. By reducing their decision-making power to the strict application of a rigid framework dictated by the Ministry, Bill 94 operates on the Bill 40 paradigm, which has been declared inoperative in the English system. Bill 94 fails to take into account that the top-down Ministry-driven approach (in which school service centres are simply conduits of Ministerial will) is not appropriate for the English education sector.

Following the decision of the Quebec Court of Appeal, the government must recognize English-language school boards as partners in their own right and not simply as agents of the Ministry. In failing to do this, Bill 94 is manifestly ill-suited to the English-language school boards.

Recommendation:

Bill 94 be amended to explicitly recognize the constitutional autonomy of anglophone school boards and preserve their full decision-making capacity in matters of educational governance.

2. Extension of « laicity » in school boards

The Bill purports to extend “laicity” deeper into the education system.

It is replete with mentions of “Québec values, including the equality of women and men” and “State laicity”. In addition to creating a new purpose clause for the entire *Education Act*⁴ and modifying the purpose clause for schools⁵ and school service centres,⁶ the Bill paints this language into numerous other provisions of the *Education Act*. It extends the prohibitions on the wearing of religious symbols to all school staff, parent volunteers, and contract workers; requires students, staff and contractors to have their faces uncovered; prohibits the use of school facilities for any religious practices; severely restricts religious accommodation for both staff and students; requires that methods of instruction and evaluation be in conformity with “State laicity”, and prohibits individuals from conduct based on “religious considerations”. In so doing, it bluntly imposes a political project of

⁴ Bill 94, s. 1, adding s. 0.1 to *Education Act*.

⁵ Bill 94, s. 9, amending *Education Act*, s. 36.

⁶ Bill 94, s. 25, amending *Education Act*, s. 207.1.

coercive and exclusionary “laicity” deep into school. In addition to violating the Canadian and Quebec Charters of Rights, this legislation is wrong-headed in its approach.

While Bill 94 claims to defend “laicity”, it proposes a rigid and coercive interpretation, disconnected from the spirit that has historically guided secularism in Quebec. Secularism aims to guarantee the neutrality of the State while protecting the freedom of conscience and religion of all citizens. It was never intended to erase cultural diversity or restrict individual expression, so long as religious expression did not interfere with the proper functioning of institutions.

State religious neutrality (or the “separation of church and state”) ensures that the education system is secular and that it does not proselytize, nor does it favour one religion over another. However, “laicity” should not be used to restrain the religious freedoms of individuals. In 2019, the QESBA stated as follows, regarding Bill 21:

Our Association and the English school boards it represents are profoundly disappointed that the Bill before us frames otherwise legitimate and important issues of inclusion, identity, individual and collective rights in a negative perspective that we view as unnecessarily divisive. That unfortunate perspective is one that ultimately dismisses the generosity, openness and respect that we Quebecers have consistently demonstrated on these key questions. Our member boards are a case in point, having opened the doors of their schools and centres over the years to students, support staff, professionals, teachers and administrators of different ethnic and religious backgrounds while delivering a first rate public education to millions of young and adult Quebecers.

The QESBA further stated that “banning the wearing of religious symbols is contrary to the values that are taught in our schools.” The QESBA’s full brief on Bill 21 can be found at **Appendix A**.

By requiring school boards to prohibit any religious activity or material, even if it is used for educational purposes, the bill opens the door to a form of cultural erasure and censorship. It risks depriving pupils of opportunities to learn about the various religious and philosophical traditions that shape the world, which is essential to their development as open, critical and informed citizens.

Secularism should not be used as a tool for homogenization, but as a framework guaranteeing everyone the *right to exist in the public arena, whatever their beliefs*. School must remain a place for dialogue and questioning, not a sterile space where certain subjects become taboo.

Genuine education in secularism requires an understanding of its foundations, objectives and tensions. Educational policy must not be shaped by a fear of missteps or the deterrent of punitive measures. Instead, it should be grounded in a strong trust in the professional expertise of teachers and their ability to impart complex knowledge with both intellectual rigour and human sensitivity.

Like Bill 21, Bill 94 goes well beyond state religious neutrality, thereby restraining individual liberties, including religious freedom. This rigid conception of “laicity” transforms a principle of neutrality into a state ideology, where any reference to religion is perceived as suspect. This is the very antithesis of religious freedom. It runs counter to the educational mission of exposing pupils to the complexity of the world, developing their critical thinking and preparing them to engage thoughtfully and responsibly in a pluralist society.

In this regard, it bears noting that the fundamental freedoms of all Quebecers are being infringed, as evidenced by the pre-emptive use of the notwithstanding clauses of both the Quebec and Canadian Charters (Bill 94, s. 40). This increasing and routine override of fundamental freedoms ought to be of concern to all Quebecers.

As evidenced in the Bill 21 court challenge of the English Montreal School Board, the English-speaking community is strongly opposed to certain provisions on “laicity” (notably the prohibition on religious symbols and the restrictions on religious accommodation), on the grounds that these prohibitions violate the *Canadian Charter of Rights and Freedoms* as well as Quebec’s *Charter of Human Rights and Freedoms*, amongst other things.

English school boards have challenged Bill 21 on the basis of s. 23 of the *Canadian Charter of Rights and Freedoms*. That challenge is now before the Supreme Court.⁷ For the same reasons put forward in that constitutional challenge, the extension of Bill 21 further into the English school boards (as envisioned by Bill 94) also infringes s. 23 of the *Charter*.

Thus,

- a) The extension of the prohibition on the wearing of “religious symbols” to a wider group, including all school board personnel, and anyone providing services to students;⁸

⁷ *English Montreal School Board, et al. v. Attorney General of Quebec, et al*, SCC docket No. 41231 (Leave to appeal granted January 23, 2025).

⁸ Bill 94, s. 32, adding *Education Act*, s. 258.0.4.

- b) the requirement for students, staff and contractors to have their faces uncovered;⁹
- c) the prohibitions the use of school facilities for any religious practices;¹⁰
- d) the severe restrictions on religious accommodations for students and staff;¹¹
- e) the new requirements that methods of instruction and evaluation be in conformity with “Quebec values, including the equality of women and men, and with State laicity”;¹² and
- f) the requirements on governing board members, commissioners, personnel and others that their conduct not be motivated by “religious considerations”¹³

are all deep intrusions into the ability of English school boards to manage and control their affairs in the area of language and culture, including the management of staff and the cultural values of religious diversity. They are also in many cases vague and impracticable.

In addition to the violation of s. 23 of the *Charter*, these “laicity” provisions are problematic for other reasons (the following list follows the same order as the list above):

- a) Religious symbols:** For the same moral and legal reasons as the QESBA was opposed to the prohibition on religious symbols for teachers in Bill 21, the QESBA is strongly opposed to the extension of the prohibition on religious symbols.

The further restrictions on hiring support staff, professionals, caretakers, and school board personnel who regularly visit schools to work with staff and/or students is government overreach. In addition to deterring parent and community volunteers, it will amplify the severe labour shortage that exists in all categories of employment in education.

For example, Bill 94’s “laicity” also applies to parents who wish to volunteer in the school and guests who are brought in to share their expertise (ex: Holocaust survivor presentation). Our English-minority culture values the contribution of our parents and multicultural community members to enhance the school experience for students.

⁹ Bill 94, ss. 4, 13, 32-35, and others.

¹⁰ Bill 94, ss. 10, 18, adding *Education Act*, ss. 40.1, 101.1.

¹¹ Bill 94, ss. 16, 40, adding *Education Act*, ss. 96.21.1, 706.

¹² Bill 94, ss. 5, 6; amending *Education Act*, ss. 19, 22.

¹³ Bill 94, ss. 11, 23, 27, 28, 29, 32, 35, 39, amending *Education Act*, ss. 71, 177.1, 213, 215, 215.1, 258.0.3, 297, 479.21.

- b) Faces uncovered:** This requirement is both unnecessary and difficult to apply. While there has been no issue about religious face coverings in the English network, many students and staff wear medical masks from time to time for a variety of reasons. This provision creates confusion around when a medical mask is permitted: what constitutes an adequate “health” reason; will a medical note be required? While it creates new confusion, the rationale for this provision is not clear. What problem does it address? There is no issue or problem regarding religious face coverings in the English network. In any event, what is the policy rationale for requiring contractors who have no contact with students to have their face uncovered?
- c) Prohibition on any religious practices on school premises:** The Directive upon which this provision is based is currently being challenged before the Courts on the basis that it contravenes both the Canadian and Quebec *Charters*. It is plainly a violation of religious freedom, in addition to being a violation of English community management and control rights.
- d) Days off for religious accommodations for teachers:**¹⁴ It is not clear what this provision would change, nor what problem it attempts to solve. Teacher days off for religious holidays are already dealt with under existing management practices and collective agreements. National collective agreements include provisions allowing teaching, professional and support staff to be absent for personal reasons with no justification needed—this can include absences for religious reasons. Some school boards even have provisions in their local agreements, covering all staff, allowing certain leaves to be granted for other reasons. In addition, some collective agreements permit requests for unpaid days off, which could also be requested for religious reasons. There is no problem that needs to be solved here, and no need for this provision in the *Education Act*.
- Religious accommodation for students:**¹⁵ Again, there is no documented problem that needs to be solved, or that cannot already be dealt with under the current legal framework for accommodation. In addition to being unnecessary, the blanket prohibition on religious accommodation for things like meal service, is simply cruel.

¹⁴ Bill 94, s. 16, adding *Education Act*, s. 96.21.1.

¹⁵ Bill 94, s. 40, adding *Education Act*, s. 706.

e) Instruction requirements (“Québec values” and “laicity”):¹⁶ These provisions are unclear. For example, will these provisions prevent the teaching about the impact of religion on the world, or about religion in general? Further, the modification to s. 19 of the *Education Act* (a new requirement about methods of instruction and evaluation) does not seem to belong in a clause about the rights of teachers.

f) Conduct not motivated by “religious considerations”:¹⁷ The requirement that governing board members, commissioners, personnel and others’ conduct be “free of religious considerations” is extremely vague and will be impossible to apply. How are “religious considerations” defined, and how is one to know whether conduct is motivated by religious considerations? For example, many religions preach kindness and generosity: if an adherent volunteers their time at school out of a religiously-inspired sense of kindness and generosity, is this conduct said to be motivated by “religious considerations”? While a prohibition on proselytizing, for example, would be both obvious and clear, a prohibition on acting for “religious considerations” is too vague to apply.

Similarly, the prohibition in s. 479.2 on attempting to influence the exercise of a power or function under the Act based on a “religious conviction or belief” is vague, overbroad, and difficult to apply. For example, does it prevent a Commissioner from attempting to have a Council meeting scheduled so as not to conflict with a religious holiday?

Recommendation:

The “laicity” provisions of Bill 94 should be suspended in the English system at least until the Bill 21 appeal is finally decided.

¹⁶ Bill 94, ss. 5, 6, amending *Education Act*, ss. 19, 22.

¹⁷ Bill 94, ss. 11, 23, 27, 28, 29, 32, 35, 39, amending *Education Act*, ss. 71, 177.1, 213, 215, 215.1, 258.0.3, 297, 479.21.

3. Teacher Management: Instructional Planning and Teacher Evaluation

The Bill adds new requirements to submit instructional planning¹⁸ and annual teacher evaluation.¹⁹ In so doing, the Bill adds more requirements attempting to micromanage the relationship between principals and teachers. These are more examples of a deep intrusion into English school board autonomy. The QESBA agrees that the submission of lesson plans and teacher evaluation are good practices. They ought to be adopted where required and appropriate. Teachers already submit their syllabus and evaluation methods annually to their principal and to parents. But the question of whether and how to implement these practices should be left to school boards to decide. In some cases, these legislative provisions also run contrary to negotiated collective agreements.

Instructional planning: Teachers are bound by the requirements set forth in the Quebec Education Plan (QEP), which serves as the foundational framework for educational practices across the province. This obligation ensures that all educators are aligned with the broad educational goals established by the Ministry of Education, including the development of students' critical thinking, intellectual autonomy, and capacity for active citizenship. The QEP outlines the competencies, objectives, and skills that students are expected to acquire, guiding teachers in their instructional decisions.

However, while teachers are mandated to respect the QEP, they also retain a degree of professional autonomy in interpreting and applying its principles in the classroom. This balance allows for pedagogical flexibility, enabling educators to adapt the prescribed curriculum to meet the unique needs of their students while still adhering to the overarching goals of the QEP. The obligation to submit annual plans will only identify what is to be taught, rather than how it will be taught. The manner in which it is taught lies at the core of students' access to the learning process. This responsibility places teachers in a position of considerable trust. It is essential that they are not only compliant with the framework but are also supported by a system that fosters professional development, intellectual freedom, and confidence in their ability to navigate the challenges of a diverse educational landscape.

While the requirement for annual lesson plans is already the practice in some schools, it may be too onerous in some contexts. It adds to an already heavy workload for school principals. The requirement to review lesson plans for pedagogical conformity is useful and

¹⁸ Bill 94, s. 7, 15, amending *Education Act*, ss. 22.0.0.1, 96.21.

¹⁹ Bill 94, s. 15, amending *Education Act*, 96.21.

relevant, but the requirement to review them for conformity with “Quebec values” is problematic. This bureaucratic task, forcing principals to review each teacher's annual plan, will not produce the desired outcomes that the government intends with this provision. Furthermore, it removes their attention for the real issues and concerns that are meaningful to improve educational practices and student learning.

Teacher evaluations: Similarly, while the annual evaluation of new, contract or tenure track teachers is already a practice in schools, it is too onerous and not feasible to extend it to the entire teaching staff. Further, teacher evaluation is defined as an obligation in collective agreements. Like instructional planning, this operational decision to expand the number of evaluations should be left to the discretion of the school administrator, allowing for a more flexible and context-specific approach to assessment that aligns with the needs of both teachers and students.

These provisions are an excellent illustration of how this Bill does not take into account that the autonomy of English school boards is protected by s. 23 of the *Charter*. Teacher evaluation is manifestly part of the sphere of management and control protected under s. 23. Further, the requirement that instructional plans be coherent with “Québec values” and “State laicity”²⁰ may impinge on matters of language and culture in English school boards.

Teacher evaluation is a matter of labour relations, not a matter for the *Education Act*. For example, the criteria for inclusion of teachers on the priority employment list in the youth sector or on the recall list in the adult education or vocational training sector stipulate that teachers must have worked under contracts at the end of which their performance is evaluated by the school administration. The evaluation of any teacher is part of the management rights of school principals. Although there are generally no specific provisions negotiated in this regard, these management rights have been widely recognized in case law when they are not exercised in an arbitrary, abusive, discriminatory or unreasonable manner.

Legal considerations aside, these provisions are dubious in their approach.

Instead of adding more bureaucracy and micromanagement, QESBA suggests an approach based on fostering relationships of trust between management and teachers, empowering teachers and fostering their professional development. Principals are already able to identify, monitor, intervene and support teachers who may be experiencing difficulties at some point in their careers. A mandatory and systematic annual appraisal may not always

²⁰ Bill 94, s. 15.

be the best way of recognizing, valuing and supporting teachers. Teachers need to feel supported and have the means and resources to carry out their duties and obligations and thus ensure educational success. Rather, professional development (which is already part of teachers' professional obligations)²¹ is a lever of support and enhancement that should be strengthened for principals and school boards. Also, discussion amongst teachers and with their principal should be encouraged, to encourage and support professional development needs and align with the school's educational project.

Guide on Good Practices on instructional planning and teachers:²² There is a lack of clarity on this guide, which is to be prepared by the Minister.

Recommendation:

The instructional planning and teacher evaluation provisions should not apply in the English system because they infringe s. 23 of the *Charter*.

4. Educational Services quality committee

It is unclear whether these provisions²³ would apply to English school boards. They fall immediately after the provisions on the commitment-to-student-success committee, which have been declared inoperative as a contravention of s. 23 of the *Charter*.²⁴

If these provisions do apply, just as with instructional planning and teacher evaluation provisions, an educational services quality committee will add more layers of bureaucracy and workload without much pedagogical value added. The link to either "laicity" or pedagogical value is not evident.

Like the "commitment-to-student-success committee", which has been declared inoperative in the English system, this staff committee purports to direct operations within the English school board without the required representation by minority community representatives.

²¹ Under the *Education Act* (s. 22.6), and recognized in the National collective agreement (article 8-1.03): "Considering the importance that the parties attach to continuing education, they recognize that it is the teacher's duty to take appropriate measures to enable him or her to attain and maintain a high level of professional competence, in accordance with the Education Act (R.S.Q., chapter I-13.3)."

²² Bill 94, s. 37, adding *Education Act*, s. 459.5.0.1.

²³ Bill 94, s. 24, adding *Education Act*, ss. 193.10, 193.11.

²⁴ QCCA decision, paras 278-279.

Thus, for the same reasons that the commitment-to-student-success committee was found to violate s. 23, this committee also likely violates s. 23.

In any event, this committee is redundant for the English sector. Support to schools and vocational centres educational project and initiatives is provided through the Directors of Educational, Complimentary Services (who are named as members of this new committee). Furthermore, consultants from these departments are at the disposal of schools and vocational centres to assist them to implement best practices and support teachers and support staff working directly with students. Thus, this new committee provides no additional support to staff—it merely creates additional and unnecessary oversight (a “Big Brother effect”).

In addition, it is not clear who would serve in the non remunerated functions under subparagraphs (4) and (5) (experienced school principal and former teacher).

Recommendation:

The educational services quality committee provisions should not apply in the English system because they infringe s. 23 of the *Charter*.

Conclusion: A Better Approach

Bill 94 conflates two separate issues: academic best practices and “laicity”. Best practices and academic improvement are not dependent on “laicity”. By linking them, the Bill not only creates confusion but also detracts from the core educational goal of improving teaching and learning practices.

As currently drafted, Bill 94 raises serious concerns about its impact on the education community. By seeking to impose a rigid vision of “laicity”, it risks undermining the spirit of openness and inclusion that should animate Quebec’s public schools. Under the guise of “laicity”, this Bill instead imposes a uniform and authoritarian interpretation of it, to the detriment of the diversity of school realities and respect for the fundamental rights of staff and students.

Far from strengthening social cohesion, this approach could provoke new tensions in educational spaces, by marginalizing certain teachers, limiting their professional freedom, and weakening the relationship of trust that is essential between schools and the communities they serve. Turning school boards into mere conduits of Ministerial will also

compromises the capacity for local adaptation and support that is so crucial to the application of such sensitive principles.

It is therefore imperative to thoroughly review Bill 94 in order to correct its harmful effects and integrate a more nuanced, inclusive and educational understanding of secularism. Such a revision should focus on respect for teachers' rights, recognition of their expertise, and the autonomy of local authorities in implementing government orientations.

Bill 94, as drafted, sends an implicit but powerful message to school personnel that their professional judgment, pedagogical expertise and ethical commitment to students must be called into question. By targeting teachers as potential vectors of abuse, the Bill breaks the bond of trust between the state and its educational staff. This risks aggravating a climate of tension already present in the education sector, where professionals have long been demanding greater respect, autonomy and the means to carry out their mission.

Quebec teachers are trained to deal with sensitive subjects with nuance and discernment. They adapt their teaching methods to the needs of their groups, the age of their students and their socio-cultural context. Far from hindering effective teaching, this ability to adapt is one of the strengths of the Quebec education system. By contrast, the rigidity imposed by the Bill risks hampering this fine-tuning, to the detriment of students' educational experience.

Rather than punish, the government should focus on supporting, accompanying and valuing school staff. This requires :

- ongoing training focused on social issues, ethics and inclusive approaches in the classroom;
- diversified, culturally sensitive teaching resources;
- public recognition of the complex role played by teachers in a pluralistic society.

Recommendation:

To truly support student learning, enhance teaching quality, improve school climate, and foster an inclusive environment, efforts should focus on evidence-based pedagogical strategies, professional development for educators, and inclusive policies that respect diversity rather than restrict it.

Quebec's public schools deserve more than authoritarian supervision: they need support, guidance and encouragement to bring secularism to life in a way that brings people together, rather than a coercive "laicity" that divides.

The path of collaboration, dialogue and accompaniment is always more promising than that of surveillance and punishment. Valuing teachers also means valuing public schools.