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Going to bat for school boards by Benoît Pelletier, Ad. E., Full Professor at the Faculty of Law of the University of Ottawa

The congress of the *Fédération des commissions scolaires du Québec* comes to an end today in Montreal in a context where school boards very survival is called into question in public debate. This article coincides with this congress being held.

In Quebec, school boards have a lot to bear. We accuse them of all evils. They've become the scapegoats of the "over esteemed political comets", that try to make the population believe that by abolishing them, Quebec society would resolve a number of its financial issues. This is populism, simplism. Even worse, it's a deception, it's sophism. No one should give in to the siren song of such a demagogic discourse.

Indeed, school boards take on many useful roles. First, they further a greater decentralization and regionalization of the Quebec state, which can only be welcome. This is why they contribute greatly to regional development and recognizing the importance of regions. They allow the various regional realities that compose Quebec to be taken into consideration, as well as the enormous distinctions between rural and urban realities. Without them, the field of education would be more centralized, more decisions would be taken on the Grande-Allée, neglecting the needs specific to a region, in a unilateral and uniform manner, and the schools themselves would be subject to more direct and strict control on the part of government officials of the Ministry of Education, Recreation and Sports. In short, defending school boards is defending regional autonomy.

The existence of school boards, as local governments, is justified by the principle of subsidiarity, whereby the authority nearest to citizens should take decisions. School boards' action is also inspired by the principle of solidarity, as they insure the equitable distribution of resources within a region and offer a minimum of services throughout Quebec. By abolishing school boards, we would be otherwise depriving ourselves, as a society, of an appreciable source of volunteer work (on the part of commissioners that don't count their hours, of parents that fully commit themselves to activities, etc.). What interest do we have in making such a choice?

In the last few years, costs of administering school boards are among the lowest – if not the lowest – of public and para-public bodies. And, as if this were not enough, they reduced their administrative disbursements even more, at the request of the Ministry. The result: they have no more leeway.

Suffering school board democracy

Moreover, unfortunately, school board democracy in Quebec is suffering. Few citizens vote during school elections. In the last few years, the legislature reduced the number of commissioners, which had for effect, among other things, the considerable expansion of the territory they cover and further distancing them from citizens. The government reduced the school boards' resources, so that they are now stuck in the middle between more and more limited means and greater expectations of the population. Commissioners are underpaid for the work they do. All this should be corrected, but do we have the courage?

By attempting to make scale economies to the detriment of democracy, whether it be school board democracy or another, we are wrong all-around. First, because past experience shows that the economies in question are almost never there. Second, because by doing this, we are weakening our own democratic pillars, which can only be harmful in a society, like Quebec, that rather needs the opposite, namely re-injecting enthusiasm in democracy.

As a matter of fact, we note that, in all of Canada, only in Quebec is the need for school boards called into question as much. In other provinces, their utility is almost or not at all disputed. Indeed, New-Brunswick abolished its school boards in 1996, but later brought them back at the population's request and because their abolishment had cause a too great centralization.

The former "adéquistes" and today's "caquistes" have targeted school boards, an easy target if we consider the population's lack of knowledge as to their role, their dedication and relevance. As leader, Francois Legault promotes their disappearance. However, he forgets that English school boards' existence is in all likelihood protected by s.23 of the *Canadian Charter of Rights and Freedoms*. In this context, how could we – if we suppose that one day he becomes premier – abolish francophone school boards while keeping English ones in place? Wouldn't there then be manifest, unacceptable and unbearable iniquity and imbalance? Francois Legault has yet to answer this tricky question.