

Policy Matters Blog #12 – Bill 96

COMMITTEE CONTINUES DISCUSSIONS REGARDING RESTRICTIONS ON CEGEP ADMISSIONS

February 25, 2022 – The National Assembly’s [Committee on Culture and Education](#) yesterday resumed its clause-by-clause reading of Bill 96, [An Act respecting French, the Official and Common Language of Québec](#). The Committee discussed clause 58, which relates to CEGEP admissions. Bill 96 amends the [Charter of the French Language](#).

The Committee resumed discussion of the government’s amendment to Art. 88.0.4 of the Charter. To this, MNA Ruba Ghazal from Québec Solidaire introduced a sub-amendment relating to the financing of CEGEPs. Her sub-amendment would have required the Minister of Higher Education to gradually revise – by 2032 – the funding transferred to all CEGEPs so that it becomes proportional to the overall demographics of the Quebec population with respect to francophones and anglophones. She explained that her amendment was meant to redress the situation whereby what she termed “elite anglophone institutions” are currently over-financed in comparison with smaller CEGEPs in smaller centres across the province. The latter, she suggested, are underfinanced on a relative basis. Liberal MNA Hélène David, a former Minister of Higher Education, rebutted this. She said the smaller CEGEPs have been equipped with state of the art facilities. Many benefit from generous bursaries established under the previous Liberal government, she added, a financing approach which continues under the current Coalition Avenir Québec administration.

Parti Québécois MNA Pascal Bérubé added a suggestion to MNA Ghazal’s sub-amendment. He suggested the government adopt an amendment that would redistribute the “value” of students within an institution. In concrete terms, he proposed that “historic anglophones” who attend an English CEGEP would be considered “worth more” in terms of transfers from the government to the CEGEP, in comparison with francophones or allophones attending the same institution. The intent, he explained, was for this mechanism to work as an incentive for English CEGEPs to accept more “historic anglophones” as students than francophones or allophones. Notably, he referred to Montreal’s Dawson College as having been created to serve “historic anglophones.” Today, MNA Bérubé said, francophones and allophones constitute the majority of Dawson’s student body.

Liberal MNAs Gaétan Barrette and Hélène David pointed out that these suggestions would lead to English CEGEPs being progressively underfunded in the future, as the size of their student body slowly diminishes. MNA Barrette also called the Québec Solidaire party radical for proposing such a sub-amendment. MNA Ghazal agreed, with the proviso that the shared definition of radical relates to sticking to one’s principles.

Language and Justice Minister Simon Jolin-Barrette responded that the government's position is to establish a cap limiting the overall number of students attending English CEGEPS, rather than applying Bill 101, the Charter, to the CEGEP network as a whole. MNA Barrette pushed back on this. He asked the minister for a commitment that CEGEPs would not be included in the Bill 101 regime. The minister refused to answer.

Parti Québécois MNA Bérubé then noted that the Leader of the Opposition, MNA Dominique Anglade, had tweeted that the Liberals would not be voting for Bill 96 in its current state. Her position is that the bill goes too far. Minister Jolin-Barrette subsequently took frequent note of this, repeatedly referring to it throughout the balance of the Committee's meeting. He accused the Liberals of not having been entirely transparent about their intention to vote against the bill.

MNA Ghazal's proposed sub-amendment was ultimately rejected.

Liberal MNA Barrette then proposed a sub-amendment of his own, also to Art. 88.0.4. It would require the Minister of Higher Education to report on the effects and the implementation of the student caps in English CEGEPS, beginning three years after adoption of the bill and then every five years afterward. Minister Jolin-Barrette responded that this is already in the bill, but that it would be the responsibility of the Commissioner of the French Language to issue such reports. This process is to be covered under Art. 197 of the Charter, as modified by clause 113 of Bill 96. The sub-amendment was rejected. Liberal members voted in favour. Government and the Parti Québécois members voted against. Québec Solidaire abstained.

Liberal MNA Barrette noted, in passing, that the established 17.5 per cent proportion of "historic anglophones" (outlined in Blog #11) was based on the 2019-2020 school year. He added that the size of Quebec's overall student body increases every year. He suggested that many English CEGEPs will be forced to reduce the number of students within their institution once the bill takes effect.

He then proposed another sub-amendment. This would address the removal by the government, during the Committee's work on Wednesday, of the last paragraph of Art. 88.0.4. (This provision was to have allowed for an increase, where applicable, in the number of openings available for students in English CEGEPs. No such increase would have been allowed to exceed 8.7 per cent.)

MNA Barrette's proposed sub-amendment would have enabled the minister to adopt a regulation to change the cap on the number of students allowed in English CEGEPs. His proposal was rejected by the government. Minister Jolin-Barrette explained that the government wanted to foreclose any possibility of diverging from the legislated ceiling.

The Committee then turned to voting on the original amendment presented by the government, the removal of the last paragraph of Art. 88.0.4. This amendment was accepted. The government, Québec Solidaire, and the Parti Québécois voted in favour. The Liberals voted against.

Finally, the Committee moved to Art. 88.0.5. MNA David presented an amendment that would change the yearly reporting requirement to one that would take place every three years, to make reporting more manageable for CEGEPs. This reporting would document the composition of the student body at each English CEGEP.

The Committee adjourned before any discussion or voting on this amendment.

MNAs will return to their ridings for two weeks. As a result, the Committee is not scheduled to sit next week.