

Policy Matters Blog #10 – Bill 96

COMMITTEE BEGINS EXAMINATION OF LANGUAGE RESTRICTIONS GOVERNING CEGEP ADMISSIONS

February 23, 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 clauses 56 to 58, and revisited clause 50. Bill 96 amends the [Charter of the French Language](#).

Clause 56 adds Art. 84.1 to the Charter. As explained in an earlier Policy Matters blog, this relates to the right of children of foreign nationals who reside temporarily in Quebec to attend school in English for a maximum of three years. Liberal MNAs Hélène David and Gaétan Barrette proposed an amendment that would allow these children to renew this exemption for another three years without gaining a right for themselves and their future children to attend elementary and secondary school in English. Language Minister Simon Jolin-Barrette disagreed with this amendment. The way the article is currently formulated, he explained, would work as an incentive for children of foreign nationals who reside temporarily in Quebec to attend school in French and learn the language. The amendment was rejected. Clause 56 was adopted.

The Committee then turned back to consider clause 50, on which discussion had earlier been suspended to allow for the preparation of proposed amendments. For this clause, Québec Solidaire co-leader Manon Massé was present. She proposed three amendments relating to language rights of Indigenous peoples. The first and second would have added clauses 50.1 and 57.1 respectively, to allow Indigenous children to be exempted from the requirement to attend elementary and secondary school in French and instead would provide them with a choice. MNA Massé explained that this would affect only 209 children this year. She said this would help limit dropout rates, which have been increasing. This change was supported, by Liberal and Parti Québécois members, as an act that would recognize historic wrongs done to Indigenous peoples forced to speak in languages that are not their own. Minister Jolin-Barrette spoke against. He said the proposed change would do little for the protection of Indigenous languages, since it would only allow Indigenous children to choose between French and English. Furthermore, he added, the objective of righting the wrongs of colonialism can be achieved through new legislation from the Ministry of Indigenous Relations, rather than through Bill 96. Government representatives voted against. Liberal, Parti Québécois, and Québec Solidaire voted in favour. Both amendments failed.

The third amendment proposed by MNA Massé would have allowed Indigenous students in secondary school to have their required French language ministerial examination be evaluated based on it being recognized as a second language (rather than as a first language, as is currently the case). Again, the government referred the Committee to the Ministry of Indigenous Relations, or the Ministry of Education, as better placed to take on this question as Bill 96 deals only with language. MNA David pointed out that Bill 96 affects areas including education, workplaces, municipalities, government relations, and others. She stated that the government refuses to address any concerns raised by the Indigenous groups that had testified before the Committee. The amendment was rejected by the government. It was supported by representatives of all the other parties.

Québec Solidaire MNA Ruba Ghazal then proposed an amendment to Art. 87 of the Charter, to change the designation of “Amérindiens” to “Autochtones et Premières Nations” to conform with current nomenclature. This amendment was adopted.

Finally, the Committee began examination of clause 58 of the Bill, which introduces a series of articles aimed at extending the application of the Charter to CEGEPs and universities. Discussion commenced with Art. 88.0.1, which creates only two categories of CEGEPS: francophone and anglophone. This would mean that any CEGEP with a bilingual status would now have only one category or the other. Minister Jolin-Barrette explained that these CEGEPs would still be able to keep their current bilingual programs.

Parti Québécois MNA Pascal Bérubé proposed an amendment that would allow only historic anglophones, or “ayant droits,” to attend CEGEP in English, as Guy Rocher, a renowned sociologist and original framer of Bill 101, had suggested in his testimony before the Committee. The government explained that its position is to freeze the current number of francophones attending English CEGEPs and create a quota system for francophone students seeking to attend CEGEP in English. The Committee has yet to vote on this amendment.

The Committee is scheduled to continue this discussion today at 11 a.m.