

Quebec Government is not Applying its own English Language School Law

Montreal, September 16th 2003 – Dozens of children legally entitled to attend English language school are still in limbo two weeks after school started because the Quebec government is not applying its own language law.

“In this instance, we are not challenging the language law,” Alliance Quebec President Brent Tyler said. “We do not think it is being correctly applied.”

“The administration of the law must be changed. In some cases decisions and procedures appear to be quite arbitrary and in others they cause real hardship,” Mr. Tyler said. “They definitely take far too long.”

Sam Ephraim, educational consultant to Alliance Quebec added, “We think the current administrative measures to determine access to English-language schools are needlessly time-consuming and definitely not in the best interests of the child.”

The children fall into several categories of eligibility.

Samira Bartakis, five, suffers from leukemia and came to the news conference with her aunt from a chemotherapy session. Her doctor recommended she go to school with other children her age and because she learned English with difficulty from her deaf parents felt that English-language school would be most appropriate for her under the circumstances.

The law provides for admission to English-language schools for humanitarian reasons. But it requires that applicants first go to an official known as “the minister’s designated representative” who has no authority to grant permission and then appeal to a higher level within the government. An application was made on Samira’s behalf in August and no final decision is expected until at least November.

“That makes no sense,” Mr. Ephraim said. “People in these circumstances need a decision as soon as possible. The process has to be speeded up.”

Aaron Kiewe, 18, is a bright young man with cerebral palsy and central auditory processing disorder as well as other learning disabilities.

He spent many long years learning to read and write in English. He graduated from secondary school and now attends Dawson College. Under the language law, he will have to leave school if he doesn’t pass his Secondary Five French examination unless

the government makes a humanitarian exception in his case under a procedure known as derogation.

After he failed his second French exam in August, he applied for derogation. His application is in process but there has been no decision. There have been very few derogations granted for reasons other than hearing loss.

“We feel the government should widen the grounds for derogation,” Mr. Ephraim said. “Why not ease pressure on the parents and the child and let him continue his studies?”

Mark-Joseph Enriquez, nine, has learning disabilities. English is his first Canadian language learned and understood. He is currently in a French language school where he repeated Second Grade and now is struggling in Grade Three. His learning disability has been documented twice. He applied for permission to attend English language school in June 2002 and was refused. A final decision is still pending.

Children with a demonstrated learning disability that affects their progress in the French-language school system can apply under the Quebec language law for permission to attend English-language school.

“This is one of several cases where civil servants are over-riding or ignoring the opinions of psychologists and other specialists,” said Mr. Tyler. “It also illustrates the inordinate length of time it sometimes takes to get a decision.”

Finally, Alliance Quebec supports several children who attended English-language schools in Ontario last year. Only six have been permitted to attend English-language school. At least five others who attended the same or similar schools are still awaiting a decision.

“We find the process to be arbitrary and unfair,” Mr. Tyler said. “Rules are rules and should be applied the same way for everybody.”

He added that in all these cases, Alliance Quebec is not challenging the Quebec language law.

“We just want the law on exemptions to English-language schools to be applied fairly and equitably,” Mr. Tyler said. “We also think the process can be speeded up.”

For more information, contact Rob Bull at Alliance Quebec, (514) 932-3292. local
327