

---

**From:** Adam Davies [REDACTED]  
**Sent:** October 15, 2023 12:21 PM  
**To:** Office of the Legislative Counsel  
**Subject:** Submission to Law Amendments Committee (RE: Bill No. 321 – Conseil scolaire acadien provincial Act / Loi sur le Conseil scolaire acadien provincial)

You don't often get email from adam.davies.ns@gmail.com. [Learn why this is important](#)

**\*\* EXTERNAL EMAIL / COURRIEL EXTERNE \*\***

Exercise caution when opening attachments or clicking on links / Faites preuve de prudence si vous ouvrez une pièce jointe ou cliquez sur un lien

Office of the Legislative Counsel  
CIBC Building  
802-1809 Barrington Street  
PO Box 1116  
Halifax NS B3J 2X1

RE: Bill No. 321 – Conseil scolaire acadien provincial Act / Loi sur le Conseil scolaire acadien provincial

To the members of the Law Amendments Committee,

I am writing to you at this time to voice my support for Bill 321 - Conseil scolaire acadien provincial Act / Loi sur le Conseil scolaire acadien provincial.

As a former school board member and a Director with the Nova Scotia School Boards Association (NSSBA), I realize the importance of this proposed legislation and the long struggle to see it realized. Bill 321 affirms the unique priorities of the Acadian experience in our province and it is likely to protect and guarantee minority language education rights as outlined in the Charter.

There are two points I want to raise with you through this letter.

First, Bill 321 provides Conseil scolaire acadien provincial (CSAP) an important and enhanced role in public education in Nova Scotia. Section 12 of the proposed legislation is a careful blend of sections 16 and 64 of the current Act, with additional responsibilities and obligations. For example, the Conseil is now 'to represent the perspective of entitled persons in the development of Provincial and regional policies and programs' [s. 12, an]. It is also to 'collaborate with the Department in developing French first-language curricula and professional development opportunities' [s.12, ao]. All of this will undoubtedly aid the Conseil in its overarching responsibility for the delivery and administration of all French first-language education programs in the province.

Second, although Bill 321 states the Conseil is accountable to the Minister and not to the electorate, as in the current Act, members of CSAP have clearly stated responsibilities to the public, namely to 'promote quality education, the efficient delivery of services and enhanced community involvement' [s. 46, d]. The reference to enhanced community involvement is a new addition to their roles and it speaks to local engagement. Moreover, there is attention given to local representation and a version of local-decision making. The current CSAP model, that is 18 elected representatives from 10 regions, representing 23 schools, is maintained. The electoral boundaries are to be reviewed every eight years by the Utility and Review Board (UARB), with the understanding that consideration will be given to 'effective representation of the Acadian and francophone communities in the Province', and effective representation will be considered of

greater importance than parity in voting [s. 21 (4)]. The process for entitled persons to elect members to the Conseil is clearly outlined. It is also clearly described how entitled persons may run for election to the Conseil.

These two points - increased authority to the Conseil and a continued focus on electing local representatives - reinforce the uniqueness of CSAP and its unique relationship in the system (to use terminology that Dr Avis Glaze used in her report five years ago).

It is clear that Bill 321 is linked to section 23 (Minority language educational rights) of the Charter. In successive Supreme Court of Canada decisions, section 23 has increasingly been thought of in terms of equivalence between the linguistic minority and majority groups. These decisions have pointed to equivalence in terms of physical facilities, quality of education, educational outcomes, extracurricular activities, and student travel times. The premise is that substantive equality means official language minorities may be treated differently so that their standard of education is equivalent to that of the linguistic majority.

Different, but yet equivalent. That is not the case here in Nova Scotia.

If passed into legislation, Bill 321 will enable CSAP to impact the standard of education for French first-language families and communities in Nova Scotia. That is welcomed and long overdue, and it needs to be celebrated. However, section 23 of the Charter spoke of a standard of education EQUIVALENT to that of the official language majority. Unfortunately, that is not what we have in Nova Scotia. Through voting for local school board representatives, French first-language parents have a level of control over the public education system that is denied to everyone else in the province.

My intent here is not to diminish Bill 321 or in any way to detract from this important piece of legislation. Rather, it is to say that English first-language parents and communities need the same access to elected school boards so as to be somewhat equivalent to that provided to the linguistic minority.

Bill 321 needs to be passed into law, but please give thought on how we can provide something similar to English first-language parents and communities.

I thank you for your time and cooperation in this matter.

Best Wishes,

Adam Davies

