



COMMISSION SCOLAIRE SIR-WILFRID-LAURIER  
SIR WILFRID LAURIER SCHOOL BOARD

NEWS RELEASE  
FOR IMMEDIATE RELEASE

## Bill 40: A triumph for English School Boards across Québec

**Rosemère, August 3, 2023** – The Sir Wilfrid Laurier School Board (SWLSB) is thrilled that Québec's Superior Court has ruled that major elements of Bill 40, an Act that amends the Education Act concerning school organization and governance are unconstitutional.

Bill 40, which was adopted at the National Assembly in the early hours of February 8, 2020 converted French school boards into school service centres, resulting in the abolition of Councils of Commissioners, replaced with board of directors. The QESBA was awarded a stay of legislation, therefore making Bill 40 inapplicable to the nine English school boards until the case was heard on its merits. Québec Superior Court's extensive 125-page judgment has found that many provisions of Bill 40 are unconstitutional and infringe upon [section 23](#) the Canadian Charter of Rights and Freedoms, safeguarding minority language education rights.

"This is undeniably a victory for the English-speaking community of Québec. We are incredibly happy to see our rights to control and manage our schools acknowledged and honored. Though it has been a long journey, the fight was undoubtedly worthwhile." said Paolo Galati, SWLSB Chairperson.

Considering decades of jurisprudence regarding minority language education rights in Québec and throughout Canada, the court's ruling is a historic pronouncement of the importance of protecting the rights of linguistic minorities in the province.

"We sincerely hope that the Québec government will refrain from appealing the judgment so that we can continue with our mission and wholeheartedly focus on providing the best education for our students." added Galati.

Here are some of the elements declared unconstitutional by the Québec Superior Court.

- Eligibility requirements to be elected as a member of the board of directors of an English-language school service centre, including the requirement for parent representatives to also sit on the governing board, the requirement for community representatives to meet certain profile requirements and run in the entire territory of the board, etc.;
- The requirement that only parent representatives can become Chair or Vice-Chair;
- The presence of unelected staff members on the Council of Commissioners;
- The transfer of the Chair's role as spokesperson to the Director General;
- The exclusion of commissioners from the development of Commitment-to-Success Plans;
- The establishment of budgetary measures that are sent directly from the Ministry to schools, by-passing the school board; and
- The absence of a rightsholder requirement to vote in school board elections.

The court's ruling highlights the significance of safeguarding minority language education rights and preserving democratic representation in educational governance.

With a workforce of more than 2,000 employees, the Sir Wilfrid Laurier School Board is the third largest English school board of the Province of Québec and boasts a graduation rate of 88.3%. Its territory comprises the administrative regions of Laval, Laurentides and Lanaudière. The school board provides preschool, elementary, secondary, adult education and vocational training services to over 14,000 students in 35 schools and 4 centres, as well as business training services.

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