

## Groups fight for immigrants to access French-language schools

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FREDERICTON \* A group representing francophone school boards, including those in New Brunswick, has intervened at the Supreme Court of Canada on an important case affecting access to French-language education.

The National Federation of Francophone School Boards, along with several other intervenors, wants the top court to allow a more liberal interpretation of Article 23 of the Charter of Rights, which provides a guarantee for minority language education rights throughout Canada.

Federation director **Roger Paul** said the Supreme Court ruling, expected in a few months, will have important ramifications for all minority francophone communities in Canada, including those in New Brunswick.

The big question at the heart of the case is: Who has the right to control admissions to francophone schools? The school boards want the right to broaden access, especially to immigrant children, to help increase Canada's French-speaking population.

"Mostly we are talking about immigrants," Paul said in an interview from his Ottawa office.

"Because they are not Canadian citizens even if they are fluently bilingual, we cannot admit them under a strict interpretation of the charter. This is unacceptable. The charter section was introduced to ensure the vitality and the survival of francophone communities in minority settings. If francophone boards cannot benefit from a liberal interpretation of Article 23 and aren't able to admit the children of parents who want to send their children to our schools, we will be at a great disadvantage in comparison to our anglophone counterparts."

Section 23 of the Charter of Rights and Freedoms guarantees Canadians the right to education in a minority language, whether English or French, but extends that right only to the children or grandchildren of those who were educated in that language or who learned it as their first language.

The case being considered by the Supreme Court of Canada specifically addresses a dispute in the Yukon where the territorial government is fighting the francophone school board's desire to broaden access to French-speaking schools. The Yukon government is fighting the move because of the additional costs it would entail.

Jeanne d'Arc Gaudet, president of the New Brunswick Acadian Society, said that, at the moment, the province's school districts have a liberal approach to admissions and allow immigrant children to attend francophone schools.

But she is concerned should the Supreme Court rule in favour of a strict interpretation of the Charter right.

"Supreme Court decisions always have impact," Gaudet said. "They become jurisprudence. It could be used by a future government to not do anything. It creates the possibility."

Both Gaudet and Paul said they are disappointed at the position taken by the government of Quebec, which intervened at the top court hearing to recommend a strict interpretation of Article 23.

Quebec's appeal to the Supreme Court to maintain limited access to francophone schools is due to potential impact on access to English-language education.

Quebec is worried that if access to French schools is expanded outside Quebec, it also means access to English schools would have to be expanded in Quebec.

Members of francophone communities across Canada have been angered by Quebec's position.

"Quebec missed the boat in terms of helping their francophone cousins across the country," Paul said.

He said school boards should be able to manage their infrastructure, finance, programs and especially the admission process for students whether they are children of right-holder parents or non-right-holder parents.

"As it is, only 50 per cent of right-holder parents send their children to a French-language school," he said.

"We are only getting half.

"We are counting on parents who are immigrants or non-francophones who are interested in our schools and our communities to have the right to be accepted through an admissions process."