



**Quebec Provincial Association of Teachers**  
**l'Association provinciale des enseignantes et enseignants du Québec**

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**QPAT Brief on Bill 105, An Act to amend the Education Act**

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**Presented to the Committee on Culture and Education of the  
National Assembly of Quebec**

**September 2016**

## **Introduction**

The Quebec Provincial Association of Teachers (QPAT) represents the 8,000 teachers in Quebec's English public schools. QPAT presents this brief to the Parliamentary Committee on Culture and Education to give its views on Bill 105, An Act to amend the Education Act and express its concerns about the impact it will have on students in English schools.

## **Bill 105 as a Replacement to Bill 86**

Bill 105 is a narrower piece of legislation than Bill 86. QPAT notes favourably that some of the heavy elements from Bill 86 have been removed from Bill 105. However, the two major concerns that QPAT expressed in its brief on Bill 86 and at the Parliamentary Commission hearings remain. First, the decentralization of the system proposed in Bill 105 will be harmful to student learning because it takes away the ability of school boards to ensure an equitable distribution of resources and services, which will reduce the equality of opportunity for students. Second, the continued drive toward results-based management that the bill proposes will be harmful to student learning as it will further promote practices that seek to inflate the graduation rate and attain targets at the expense of good pedagogy.

## **Decentralization at the Expense of Equity**

The vision of decentralization presented in Bill 105 takes away the school board's primary role in the organization of services by introducing the notion of subsidiarity. This concept puts the emphasis on the organization of services at the level of the individual school or centre. In conjunction with the creation of a resource allocation committee composed mostly of principals that has decisional power, the school board will no longer be able to plan services and allocate resources with a broad perspective of the quality of the educational services across the board. If a board is unable to plan the use of its resources with this broad perspective, it will make it difficult to ensure that the quality of services received by students is the same in each school. Individual schools will have incentives to specialize in certain fields or try to select students. This will make the nature of the educational services offered in one school substantially different from another and inequitable. The lack of equity that grows out of this undermines one of the main purposes of public education, which is to promote greater democracy and citizenship through equality of opportunity. Without proper equity, this equality of opportunity cannot exist.

The resource allocation committee proposed in Bill 105 has better representation than what was proposed in Bill 86, but its power is even greater. In requiring commissioners to rally a 2/3 majority to reject a proposal on the allocation of resources put forth by the committee, Bill 105 essentially gives control over the school board budget to the committee and takes it away from

commissioners. This is not democratic. Principals must have input as to how resources are allocated and must be able to express the needs of their school, but the resource allocation committee potentially puts them in competition with one another for students and resources. It also takes them away from their school or centre by forcing them to be school board managers as well as principals, which gives them less time to be pedagogical leaders and to support their staff and students.

The resource allocation committee's powers could also come into conflict with those of the special needs parity committee. The parity committee has the responsibility to recommend how to allocate resources for special needs students and it provides a mechanism for teachers, who are the ones dealing with these students every day, to be involved in determining how to provide them the best services possible. The existence of a resource allocation committee could undermine the important role of the parity committee and lead to decisions regarding resources that fail to take into account the experience and expertise of teachers in dealing with these students.

Bill 105 would also allow for the direct transfer of certain funds to schools and centres from the MEES, something that this year's budgetary rules are already allowing even though the law has not yet been changed. This by-pass of the school board exacerbates the problems listed above. Currently in the English sector, the school boards often add to the initial per capita allocation to allow a small school to offer a base level of services and to hire necessary personnel that would not be possible otherwise. The economies of scale bigger schools generate presently allow school boards to redistribute additional resources to smaller schools allowing them to offer an equivalent service. Under the mechanisms that Bill 105 proposes, small schools would receive very small per capita allocations for various programs. Funds transferred directly to schools or centres on a per capita basis would frequently be insufficient for a particular establishment to generate meaningful services for students; this kind of distribution may be equal, but it is not equitable as it means that certain students will never have access to certain services or resources.

### **Recommendations from QPAT**

1. The general level of authority of school boards should be maintained, specifically the responsibility for organizing services in order to ensure equity across the system;
2. The concept of a resource allocation committee should be removed, with the maintenance of a structure that allows every principal to provide input regarding the board's distribution of resources.

## **Results-based Management that Diminishes Student Learning**

Since the introduction of the Partnership Agreements (PA) and the Management and Educational Success Agreements (MESA) into the Education Act, there has been an emphasis within school boards on achieving certain numerical targets, most specifically related to the graduation rate. This emphasis has become an obsession in a number of places which has led to practices that sacrifice student learning in the name of said targets. Bill 105 would further entrench the importance of the single number, the graduation rate, as the number to be reached at almost any cost. This will lead to school boards and schools finding ever more ways to make the graduation rate appear to be higher, which will only lead to further pedagogically questionable practices.

For example, some boards require frequent testing of all students to determine their reading level. These tests involve the teacher spending considerable time one-on-one (approximately 40 minutes to an hour) with each student in order to determine their reading level. While the tool may be valid, requiring its use with all students several times per year is enormously time consuming, particularly when it is already evident that a student is capable of reading at an age-appropriate level. During these assessments, the teacher is not able to be active with other students in class nor is she or he able to actively teach them. The school boards justify these tests saying that they need data to monitor student progress, but that is motivated by the drive for graduation rates and anxiety about meeting the requirements of the MESA and the PA. In the meantime, students are missing out on interactions with their teacher, in some cases up to the equivalent of two weeks of teaching time. This lost time is lost opportunity for learning.

Another example involves the secondary IV Cultural, Scientific and Technical (CST) math program. This program has been perceived generally as being more difficult than the secondary V CST program. In addition, there is a ministerial exam at the end of secondary IV which many weaker students fail. In some schools, some students were placed directly in secondary V CST mathematics. When they passed the course, they received credits for both secondary IV and V. These students never learned the content of the secondary IV program nor did they write the MEES exam, but they received full credits toward high school graduation for both courses. The practice of granting credits for secondary IV courses when a student has only passed secondary V has existed for a long time and is legitimate. In this instance, however, it has been used as a loophole by some school boards to improve their graduation rate.

These specific practices may change or disappear over time, but there will be more incentive for them and others like them to spread if an ever greater emphasis is placed on ever narrower measures of success (i.e. the graduation rate) and on the requirements of other specific targets. The focus will be on whether students will help the graduation rate or the targets as opposed to

whether they are learning. These practices are not in the best interest of students and will not help them learn and succeed in a meaningful way.

In addition to the targets to be reached, the new version of the Educational Project would also spell out the means to be used within the school. Since the Educational Project is adopted rather than approved, it could mean that non-teaching members of the governing board, who do not have the expertise in a classroom, could promote and force the adoption of measures and targets that would have to be used by teachers in their classrooms, whether such methods are appropriate or not. This undermines the professional autonomy of the teacher to choose what works best in his or her classroom, particularly in the context where the Education Act requires teachers to hew to the Educational Project. Teachers must be free to choose the methods and tools that are best suited to the reality of their individual classrooms.

In looking at the examples of other countries, it becomes readily evident that this push towards numerical targets, an approach that is steeped in a corporate private sector mentality as opposed to an educational one, simply does not improve student learning. The United States' education system, undoubtedly the world leader in this approach of using narrow results on limited measures through the No Child Left Behind Act, has suffered dramatically. The obsession with test results there has led to a widespread, systematic, teach-to-the-test approach across the country that has stripped curriculum to what is on the exam, at the expense of courses such as art, music and physical education. The systematic cheating scandal within the Atlanta Public Schools is the most extreme illustration of the damage to the credibility of the educational process that an obsession with achieving targets produces.<sup>1</sup> Despite all these efforts to drive educational reform in the United States with a narrow, punitive accountability model, the country continues to languish in basic learning in the areas of language, mathematics and science as measured by the triennial PISA testing cycle.<sup>2</sup> At the other end of the spectrum, when Finland took stock of its education system many years ago when it was not doing as well as it wanted, it took a very different approach. Finland decided to focus on student learning and learning methods, to the point where students in Finland do not take any large scale tests or exams until they have nearly completed high school. The model there also places a premium on the professional judgement of teachers in the implementation of the national curriculum. The end result of this approach has been that

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<sup>1</sup> See Wikipedia entry "Atlanta Public Schools cheating scandal" available at [https://en.wikipedia.org/wiki/Atlanta\\_Public\\_Schools\\_cheating\\_scandal](https://en.wikipedia.org/wiki/Atlanta_Public_Schools_cheating_scandal) and references cited in the entry

<sup>2</sup> See the various publications produced by the Council of Ministers of Education Canada entitled "Measuring Up: Canadian Results of the OECD PISA Survey":

2012: [http://cmec.ca/Publications/Lists/Publications/Attachments/318/PISA2012\\_CanadianReport\\_EN\\_Web.pdf](http://cmec.ca/Publications/Lists/Publications/Attachments/318/PISA2012_CanadianReport_EN_Web.pdf), pages 19, 35, 36

2009 : <http://www.cmec.ca/publications/lists/publications/attachments/254/pisa2009-can-report.pdf>, pages 16, 31, 32

2006 : <http://www.cmec.ca/docs/pisa2006/Pisa2006.en.pdf>, pages 16, 30, 31

Finland is now one of the most successful nations in the same PISA cycles.<sup>3</sup> True educational attainment comes from a focus on learning, not by creating stress and pressure over targets.

### **Recommendations from QPAT**

1. The school's educational project should continue to be based on the current criteria and not take a results-based management approach;
2. The MESAs and partnership agreements should be removed;
3. The reference to the educational project in articles 19 and 22 of the Education Act should be removed.

### **Conclusion**

As with Bill 86, QPAT is opposed to the changes in Education Act that Bill 105 proposes that will be detrimental to student learning. The model of decentralization that is proposed still hinges on removing the school board's ability to mediate between the interests of individual schools and centres that comes from its central organization of services. Particularly in the Anglophone sector where many schools are small and distant from one another, it is essential that the board can ensure the distribution of resources in an equitable manner, as it is the only way to ensure economies of scale in the distribution. Many individual schools, even in the larger urban boards, simply do not have the capacity to operate in the decentralized manner that the bill proposes and still retain the level of service that they have.

QPAT also reiterates its opposition to practices that are based on principles of results-based management. It is desirable for as many students as possible to receive a diploma, but if it comes at the expense of their learning, the value of their diploma is lessened. As illustrated, the excessive focus on results and graduation rates leads to practices that compromise student learning; the motivation for these practices, already on the increase since the implementation of the partnership agreements and the management and educational success agreements in 2009, will only be made higher with the changes proposed by Bill 105.

Finally, while QPAT has focused on two key themes for this brief, there are a number of elements that were recommended in the brief for Bill 86 that were not the focus of this brief and are not the focus of Bill 105. They are, nevertheless, elements that remain pertinent to the overall success of the education system, so they have been reproduced in the appendix.

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<sup>3</sup> See note 2

## **Summary of recommendations from QPAT on Bill 105**

1. The general level of authority of school boards should be maintained, specifically the responsibility for organizing services in order to ensure equity across the system
2. The concept of a resource allocation committee should be removed, with the maintenance of a structure that allows every principal to provide input regarding the board's distribution of resources
3. The school's educational project should continue to be based on the current criteria and not take a results-based management approach
4. The MESAs and partnership agreements should be removed
5. The reference to the educational project in articles 19 and 22 of the Education Act should be removed

## Appendix

### Recommendations from the QPAT brief on Bill 86

Recommendations reiterated in the present brief and those that were dealt with in Bill 105 have been removed

1. The criteria for the profiles of principals should emphasize pedagogical attributes;
2. The director general of a school board must have extensive prior experience as a teacher and principal (minimum 10 years combined) with a five-year framework for a full evaluation of their work;
3. The minister should have greater oversight over school board finances without micromanaging school board affairs;
4. The minister's direct intervention in school board affairs should occur only in exceptional circumstances and within a clear framework;
5. The election of the council of commissioners should have the following elements:
  - Universal suffrage as currently exists for all regular commissioner positions;
  - Term limits with a maximum of two terms being served by a commissioner;
  - Limited honorarium payment for commissioners, with maximum honoraria that are far lower than existing levels, including for the chair, taking into account the size of the school board;
  - Simultaneous elections with municipalities;
  - Adequate financing for elections from MEES;
  - Mechanisms for broad distribution of electoral information;
  - Training provided by MEES regarding the responsibilities of council members on an ongoing basis.