

Bill 64

The Education Modernization Act

Bill 64: The Education Modernization Act

Background

- The Education Modernization Act will establish a new governance model for Kindergarten-to-Grade 12 (K-12) education. It clarifies the roles and responsibilities of those within the education system, including the Minister, the Department of Education, the Provincial Education Authority, Schools, Principals and Teachers, and Parents.
- Local participation in the public education system will allow parents to have more opportunity to be active partners in their children's education.
- This modern legislation will support the transformation of Manitoba's education system. A new act, The Education Act, will replace:
 - The Public Schools Act
 - The Education Administration Act
 - The Community Schools Act

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Structure of Bill 64

The Bill is structured in three components, as follows:

- **Schedule A:** Creates The Education Act
- **Schedule B:** Consequential amendments to other Acts to ensure consistency
- **Schedule C:** Other amendments to The Public Schools Act prior to proclamation of The Education Act

Structure of the new Education Act

Parts 1-2:	Introductory Provisions and Access to Education
Part 3:	Minister and Department
Part 4:	Provincial Education Authority
Part 5:	Local Participation
Part 6:	Principals and Teachers
Part 7:	Public Schools
Part 8:	Financial Administration and Property
Part 9:	Funding
Part 10:	Teacher Collective Bargaining
Part 11:	Francophone School Division
Part 12:	Independent Schools & Home School Arrangements
Parts 13-15:	General Matters and Transition

Governance: *Unified Focus and Parental Engagement*

The new K-12 system will include:

Minister of Education and Department of Education

- Provincial Advisory Council on Education (PACE), comprised of parents elected from School Community Councils

Provincial Education Authority (PEA)

- A government agency with a Cabinet appointed board
- Regional Catchment Areas x 15 (RCAs)
- School Community Councils (SCCs)

Division scolaire franco-manitobaine (DSFM)

- Maintains its elected board of trustees

Provincial Education Authority (PEA)

Purpose and Features

- A new government agency that will unify 36 school boards (excluding the DSFM) and administer public education within 15 new Regional Catchment Areas.
- Features a 6-11 person Cabinet-appointed board, with a minimum of two parents selected from the Provincial Advisory Council on Education.
- Will carry many of the duties and powers held by the previous school boards.
- New oversight and accountability processes are added, including Ministerial approval of the PEA's budget and the requirement to enter into an accountability agreement with the Minister.
- Under this new structure, avenues of recourse will include the process under the Manitoba Ombudsman.

Regional Catchment Areas (RCAs)

Purpose and Features

- There will be 15 new Regional Catchment Areas defined by geographic boundaries, to facilitate the management of student enrolment, transportation and other administrative functions.
- Each RCA will be overseen by a Director of Education who is appointed by the PEA board.
- The Directors of Education will work with the schools and school community councils in their RCA to ensure the effective functioning of schools.
- There will be no regional school boards.

School Community Councils (SCCs)

Purpose and Features

- New School Community Councils replace the existing parent advisory councils. There will be an SCC for every school.
- Every parent of a student at the school is an SCC member and may vote for the council executive.
- SCCs will have a significant role in providing advice to the school Principal on key issues, including:
 - Policies and priorities of the school
 - Recommendations about hiring staff and their evaluation
 - Reviewing the implementation of school policies
- Every school will designate a parental engagement officer who will liaise with the SCC.

Provincial Advisory Council on Education (PACE)

Purpose and Features

- New advisory council established to advise the Minister of Education and make recommendations about any matter relating to the public education system, including:
 - the needs of students, schools and communities
 - the effectiveness of educational programming
 - student achievement of learning outcomes
- The PACE is comprised of 16 members, one parent representative from each RCA elected from among the School Community Council executives, and one trustee representative from the DSFM.

Independent Schools and Homeschooling

- Independent schools and homeschooling arrangements are recognized as important in providing parents and students with choice in education.
- Requirements for independent schools have been formalized and updated, including requirements to register with the department.
- More clarity is provided for what information independent schools and homeschooling families need to provide to the department.
- New regulation making powers may set out requirements for notification, supervision, educational programming and progress reporting.

Francophone School Division:

*Division scolaire
franco-manitobaine*

- The current legislative framework for the francophone school division is continued. The francophone school board remains an elected board of trustees.
- New oversight and accountability processes are added, including Ministerial approval of the division's budget and the requirement to enter into an accountability agreement with the Minister.
- Under this new structure, avenues of recourse will include the process under the Manitoba Ombudsman.
- The francophone school division must select from among its trustees a representative to the PACE.
- Local teacher collective bargaining for the francophone school division is maintained.

Teacher Collective Bargaining

- Bill 45 Changes to Teacher Collective Bargaining
 - Bill 45 creates a centralized teacher bargaining model for all teachers employed in the public education system.
 - Local bargaining for the francophone school division will be maintained.
- Bill 64 Changes to Teacher Collective Bargaining
 - Principals and vice-principals are removed from the teacher bargaining units.
 - The Manitoba Teachers' Society is designated as the teachers' bargaining agent for every unit of teachers.
 - The Provincial Education Authority is designated as the employers' bargaining representative.
 - Parties are required to bargain in good faith to impasse

Other Changes that Support Students

- **Right to Attend Age:** The age at which children have a right to attend school is changed from 6 to 21 to 5 to 21. The PEA is mandated to offer kindergarten, consistent with current practice and funding.
- **Compulsory School Age:** Amendments change the ages that children must attend school from 7 to 17 to 6 to 17 to align with Canadian jurisdictions.
- **Resident Student:** Children of temporary residents will now be entitled to attend public school.
- **New Required Policies:**
 - Legislating the existing policy requiring schools to notify parents when Physical Education/Health Education curriculum deals primarily and explicitly with human sexuality, substance use, and personal safety. Parents are provided with the option of providing alternative delivery of this sensitive content.
 - Legislating the requirement for a new policy regarding discipline and behaviour management in public schools, including the use of seclusion, physical restraint, suspension and expulsion.