

# 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

# Bill 64: The Education Modernization Act

## 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.