



March 31, 2021

VIA EMAIL: education.minister@gov.ab.ca

The Honourable Adriana LaGrange
Minister of Education
Alberta Education

Re: Conseil scolaire Centre-Est Three-Year Capital Plan 2022-2025

Dear Minister LaGrange,

On behalf of the Conseil scolaire Centre-Est (“CSCE”), I hereby submit the 2022-2025 Three-Year Capital Plan approved by the Board on March 30, 2021.

The CSCE’s submission has been prepared in accordance with (1) the Province’s most recent School Capital Manual, and (2) the capital planning framework developed jointly by Alberta Education and the Fédération des conseils scolaires francophones de l’Alberta (submitted to Alberta Education in March 2019), which sets out the substantive equivalence analysis required to assess the infrastructure needs of Francophone Regional Authorities.

This Three-Year Capital Plan also considers the conclusions of the June 2020 Supreme Court of Canada decision¹ regarding minority language education and its application to the CSCE’s capital project requests. In its decision, the Supreme Court of Canada reiterated that section 23 of the *Charter* has three purposes: preventative, remedial and unifying.² As such, the Province and the CSCE must work together to prevent the erosion of French-language communities, to redress past injustices and to promote the development of those communities to ensure that section 23 *Charter* rights are respected. The Court also reiterated that *Charter* breaches must be remedied vigilantly and in a timely manner because the likelihood of assimilation and of cultural erosion increases with each passing year if preventative action is not taken.³ Lastly, the Court set out a clear framework for determining where in the province there is an entitlement to a French-language school.

¹ *Conseil scolaire francophone de la Colombie-Britannique, Fédération des parents francophones de la Colombie-Britannique, et al v British Columbia (Education)*, 2020 SCC 13 [CSFCB, Fédération des parents, et al v BC, SCC]

² CSFCB, *Fédération des parents, et al v BC*, SCC at para 15.

³ CSFCB, *Fédération des parents, et al v BC*, SCC at para 16.

A DEDICATED TEAM FOR A TRULY BILINGUAL EDUCATION!

The Francophone Regional Authority of East Central Francophone Education Region

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The CSCE has prioritized its needs, as required by Alberta Education and in accordance with the Supreme Court of Canada's decision. However, as noted by the Court, prioritization cannot be used to unduly delay the implementation of s. 23 of the *Charter*. The CSCE's projects in Plamondon (no. 1), Lac La Biche (no. 2), and Athabasca (no. 4) need to be remedied without delay to respect the timeliness requirement articulated by the Supreme Court of Canada,⁴ which is to ensure that communities receive the education to which they are entitled within ten years of the entitlement being identified and communicated to the Province. To fully achieve its remedial purpose, section 23 must be implemented vigilantly.⁵ In Plamondon, which has been in the CSCE's capital plan for 13 years, action must be taken immediately. The Supreme Court's guidance is meant to ensure s. 23 is implemented without parents or the CSCE resorting to litigation.⁶

The CSCE looks forward to continuing to work with you and your staff to ensure a quality and equivalent French-language education in its territory.

Sincerely,

Reginald Roy
Chair, Board of Trustees

⁴ *CSFCB, Fédération des parents, et al v BC*, SCC at paras 141-142.

⁵ *CSFCB, Fédération des parents, et al v BC*, SCC at paras 16.

⁶ *CSFCB, Fédération des parents, et al v BC*, SCC at para 20.

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