



Northwest Territories Minister of Education, Culture and Employment

JUN 14 1995

Mr. Victor C. Goldbloom
Commissioner of Official Languages
110 O'CONNOR STREET
OTTAWA ON K1A 0T8

Dear Mr. Goldbloom:

Recognition and Implementation of Section 23 of the Charter

I am glad that you received my letter of April 18, 1995, which enclosed the agreement we concluded in 1992 with the Federation Franco-TeNOise, the policy describing the management authority of the conseil developed by the Board of Education for Yellowknife District #1 pursuant to this agreement, and a copy of Bill 25 which was introduced on March 10, 1995.

I am writing now in response to your letter of June 12, 1995. Your letter informed me that you have asked a representative of your legal services to contact Mr. Garth Wallbridge, the legal counsel for the French Parents Association, to help ensure that Bill 25 will provide for full implementation of section 23 of the *Canadian Charter of Rights and Freedoms*.

Bill 25 was amended extensively as a result of the Standing Committee on Legislation Hearings which took place in late May and the bill was reprinted on June 1, 1995. I am enclosing the amendments made to this bill regarding section 23 of the Charter. In 1992 when we concluded our agreement with Federation Franco-TeNOise, and the Board of Education for Yellowknife District #1, we planned that this agreement would not only form the basis for the changes in legislation, but that the principles in the agreement would guide the implementation of the program and management of the program.

We consider that the framework of the agreement, which is reflected in current policy, in Bill 25 and will be further set out in regulations passed pursuant to the Education Act generously implements s.23 rights in the NWT. A French first language program is being delivered in Yellowknife and in Iqaluit. In Yellowknife a conseil scolaire francophone has been established which manages Ecole Allain St. Cyr, and in Iqaluit a comite de parents francophones has been established. In Yellowknife there are 49 students enrolled in a French first language program and 23 are enrolled in Iqaluit.

The main issue where we have been at odds with the Federation Franco-TeNOise and the French Parents Association is that we believe that the essential framework for minority instruction and governance is set out in Bill 25. Bill 25 defines the structures that will be in place for the exercise of instruction and governance rights. Regulations will permit the necessary flexibility to ensure that the appropriate services and powers are provided wherever in the NWT the s.23 rights apply.

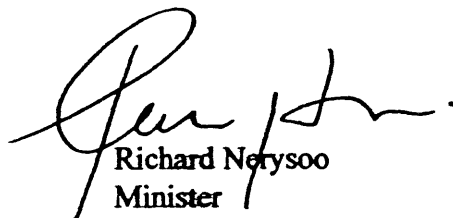
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JUN 16 1995

As the Supreme Court of Canada has indicated in the *Mahe* case, the Legislative Assembly has the discretion to select the institutional means by which the s.23 obligations will be met. In developing Bill 25, we believe that we have appropriately exercised that discretion in order to permit a full recognition and implementation of s.23 rights.

We are deeply concerned that your recent correspondence to the French Parents Association, including what has been described as a draft legal opinion of Mr. Richard Tardif, has been provided on a broad distribution to Members of the Legislation Assembly. One member of the Legislative Assembly has described this opinion as stating that "the Bill as drafted does not meet the requirements of the Charter"(see enclosure). We understand from discussions between our constitutional legal counsel and Mr. Tardif, that you have not in fact taken the position that the Bill is unconstitutional. We would request that you publicly clarify your position as soon as possible on this issue.

In recent discussions with the French Parents, we feel that we have resolved most of the outstanding issues between us. I have committed to ensure that the regulations regarding s.23 will be developed in consultation with the Federation Franco-TeNOise. We will consult with the Federation as to both the proposed contents of the regulations and a draft of the regulations. The Bill, if approved, is scheduled to come into force on July 1, 1996. The regulations will be completed by that time. In the meantime, we will continue to implement s.23 rights in the Northwest Territories.

Sincerely,



Richard Norysoo
Minister

Enclosure

cc: Richard Tardif
Office of the Commissioner of Official Languages

Garth Wallbridge
Wallbridge & Associates

Daniel Cuerrier, President
La Federation Franco-TeNOise

Sylvie Vincent, President
Association des parents francophones de Yellowknife

Betty Harnum
Commissioner of Official Languages

to see these opinions. Since they were prepared at public expense and with lawyers on the public payroll, I would have hoped that there might have been some way found to make these opinions available to Members of the francophone community who I know desperately wanted to see them to be satisfied that their fears, perhaps, had been dealt with by the bill but that has not been possible.

I know that the Minister himself has met with the associations and their representatives and there has been no resolution of their concerns. Mr. Chairman, I'm left with the dilemma of being told by the committee, we got legal opinions, everything's okay, there's no need to worry, the Charter provisions have been dealt with. Yet my constituents, Francophone groups in the city of Yellowknife and the territorial association, are all saying we're not satisfied.

Mr. Chairman, these parents and children especially, who want to receive education in their first language, they're a very small minority in the Northwest Territories. I am under no illusions that this is an issue in many constituencies in the Northwest Territories. However, I want to say that as a representative of a community that does have proportionally one of the largest Francophone populations in the territories, these rights are very important to my constituents. They've worked very hard to establish a first language French program in Nakasuk School in my constituency and they've worked alongside Inuit organizations and parents who are promoting the Inuktitut language and have achieved considerable success. I'm sure that Members of this Assembly would want to give them every respect the same as we give respect to aboriginal parents who want to see their children educated in their first language.

Mr. Chairman, I want to say that this is my main problem with the bill. Only today - and I haven't even had a chance to send this across to my colleague, Mr. Nerysoo but I will do so now - only today have I received a legal opinion, a copy of a legal opinion which has been prepared in draft by the counsel for the office of the Commissioner of Official Languages for Canada. We may not relish being told by Ottawa or by a federal government institution whether our bill meets the requirements of the Charter or not, but this opinion has been prepared by a lawyer, Mr. Richard Tardif, who works full time, I'm told, on section 23 across the country. The draft opinion, which I understand Mr. Tardif has authorized for public release, states that the bill as drafted does not meet the requirements of the Charter and spells out in detail why not.

Mr. Chairman, I know the Minister of Education has read all the cases, he's studied this aspect very closely himself, he's received legal advice from several lawyers, and I know the Minister is convinced that the bill is adequate and that anyone who says less should sue. Mr. Chairman, I'd rather not see that happen.

the education of the people of the Northwest Territories:

Recognizing the rights and freedoms of every individual and English and French linguistic minorities as set out in sections 15, 23 and 25 of the *Constitution Act, 1982*:

Recognizing the rights and freedoms of the aboriginal peoples of the Northwest Territories as set out in section 35 of the *Constitution Act, 1982*:

The Commissioner of the Northwest Territories, by and with the advice and consent of the Legislative Assembly, enacts as follows:

INTERPRETATION

Definitions

1. (1) In this Act,
"academic year" means the portion of the calendar year during which students attend school (*année d'enseignement*)

"*conseil de parents francophones*" means a parents' advisory committee for French language programs established pursuant to paragraph 117(1)(X)(v); (*conseil de parents francophones*)

"*commission scolaire francophone de division*" means a *commission scolaire francophone de division* established under section 84; (*commission scolaire francophone de division*)

"community" means a city, town or village as defined in the *Cities, Towns and Villages Act*, a hamlet as defined in the *Hamlets Act*, a charter community as defined in the *Charter Communities Act* and a settlement (*collectivité*)

"*conseil scolaire francophone*" means a *conseil scolaire francophone* established pursuant to paragraph 117(1)(v); (*conseil scolaire francophone*)

"District Education Authority" means a District Education Authority or a public denominational District Education Authority established under this Act, or a body constituted as a District Education Authority or public denominational District Education Authority by this Act; (*administration scolaire de district*)

collectivités en ce qui a trait au contenu et à l'application du programme d'enseignement;

les droits et les libertés de chaque individu et des minorités francophones et anglophones, prévus aux articles 15, 23 et 25 de la *Loi constitutionnelle de 1982*;

les droits et les libertés des peuples autochtones des Territoires du Nord-Ouest, prévus à l'article 35 de la *Loi constitutionnelle de 1982*.

Le commissaire des Territoires du Nord-Ouest, sur l'avis et avec le consentement de l'Assemblée législative, édicte :

DÉFINITIONS

1. (1) Les définitions qui suivent s'appliquent à Définitions la présente loi.

«administrateur provisoire» Administrateur provisoire nommé en vertu du paragraphe 113(2) (*interim trustee*)

«administration scolaire de district» Administration scolaire de district ou administration scolaire confessionnelle publique de district constituée en vertu de la présente loi ou organisme maintenu à ce titre par la présente loi. (*District Education Authority*)

«année d'enseignement» La partie de l'année civile au cours de laquelle les élèves fréquentent l'école. (*academic year*)

«année scolaire» Période qui commence le 1^{er} juillet et se termine le 30 juin de l'année suivante. (*school year*)

«collectivités» Cité, ville ou village au sens de la *Loi sur les cités, villes et villages*, hameau au sens de la *Loi sur les hameaux*, communauté à chartre au sens de la *Loi sur les communautés à chartre* ou une localité. (*community*)

«collège public» Collège public établi par la *Loi sur les collèges publics*. (*public college*)

Petition to change education division

83. (1) A District Education Authority may petition the Minister to have the education district for which it is responsible

- (a) removed from an education division;
- (b) added to an education division; or
- (c) moved to a different education division.

Order changing education division

(2) The Minister shall amend the order establishing an education division where,

- (a) after consultation with the Divisional Education Council and all District Education Authorities in the education division in question, the Minister is of the opinion that the education district referred to in subsection (1) should be removed from an education division, added to an education division or moved from one education division to another; and
- (b) the District Education Authority referred to in subsection (1) has complied with any other criteria determined by the Minister for removal from or addition to an education division or for moving from one education division to another.

Resolution on further petition

(3) Where an education district is added to or moved to an education division, the District Education Authority for that district shall not petition the Minister for removal from that education division for five years.

Request to establish commission scolaire francophone de division

84. (1) Where two or more *conseils scolaires francophones* exist, the *conseils* may, on meeting the requirements of the regulations, request the Minister to establish a *commission scolaire francophone de division*.

Establishment of commission scolaire francophone de division

(2) On receipt of a request under subsection (1), the Minister shall, by regulation,

- (a) set out the area within the jurisdiction of the *commission scolaire francophone de division*; and
- (b) set out the form and manner for the establishment and operation of the *commission scolaire francophone de division*.

83. (1) L'administration scolaire de district peut demander au ministre de prendre l'une des mesures suivantes à l'égard du district scolaire qui relève d'elle :

- a) le retirer d'une division scolaire;
- b) l'ajouter à une division scolaire;
- c) le transférer à une autre division scolaire.

(2) Le ministre modifie l'arrêté qui constitue une division scolaire si :

- a) après avoir consulté le conseil scolaire de division et toutes les administrations scolaires de district de la division scolaire en question, il est d'avis que le district scolaire visé au paragraphe (1) devrait être retiré de la division scolaire ou y être ajouté ou être transféré à une autre division scolaire;
- b) l'administration scolaire de district visée au paragraphe (1) remplit les autres critères fixés par lui en ce qui concerne l'ajout du district scolaire à la division scolaire ou son retrait ou son transfert à une autre division scolaire.

(3) L'administration scolaire de district d'un district scolaire ajouté ou transféré à une division scolaire ne peut demander au ministre son retrait de la division scolaire pendant une période de cinq ans.

84. (1) S'il existe au moins deux conseils scolaires francophones, ceux-ci peuvent, s'ils remplissent les exigences prévues aux règlements, demander par écrit au ministre de constituer une commission scolaire francophone de division.

(2) Saisi de la demande visée au paragraphe (1), le ministre, par règlement :

- a) prévoit le territoire qui relève de la compétence de la commission scolaire francophone de division;
- b) prévoit les mesures nécessaires à la constitution et au fonctionnement de la commission scolaire francophone de division.

Powers, duties,
of commission
scolaire
francophone
de division

(3) Where the Minister establishes a *commission scolaire francophone de division* under subsection (2), the Minister

- (a) shall, by regulation, allocate to that *commission scolaire francophone de division* all of the powers and duties set out in sections 117 and 118; and
- (b) may, by regulation, allocate to that *commission scolaire francophone de division* some or all of the powers set out in section 119.

Liabilities

(4) A *commission scolaire francophone de division* established under subsection (2) is subject to the same liabilities as a District Education Authority established under section 81.

Election of members

85. Members of a *commission scolaire francophone de division* shall be elected in accordance with the procedure set out in the regulations.

Petition to establish District Education Authority

86. (1) The residents of an education district may petition the Minister, in accordance with the regulations, for the establishment or operation of a District Education Authority in a form or manner other than that set out in this Act.

Power of Minister

(2) The Minister may accept or reject a petition and shall respond to the petition within 90 days of receiving it.

Rejection of petition

(3) Where the Minister rejects the petition, the Minister shall provide the residents with written reasons for the rejection.

Acceptance of petition

(4) Where the Minister accepts the petition, the Minister may, by regulation, set out the form or manner for the establishment or operation of the District Education Authority that is the subject of the petition and the District Education Authority is established when the requirements of the regulations have been met.

Powers and duties

(5) Where a District Education Authority is established under subsection (4), the Minister shall allocate powers and duties to the District Education Authority in accordance with section 81.

(3) Le ministre qui constitue une *commission scolaire francophone de division* en vertu du paragraphe (2) :

- a) attribue, par règlement, à la *commission scolaire francophone de division* les pouvoirs et les fonctions prévus aux articles 117 et 118;
- b) peut, par règlement, attribuer à la *commission scolaire francophone de division* certains ou l'ensemble des pouvoirs prévus à l'article 119.

(4) La *commission scolaire francophone de division* constituée en vertu du paragraphe (2) est assujettie aux mêmes obligations que l'administration scolaire de district constituée en vertu de l'article 81.

85. Les membres de la *commission scolaire francophone de division* sont élus en conformité avec les règlements.

86. (1) Les résidents d'un district scolaire peuvent, selon les modalités réglementaires, demander au ministre de prévoir la constitution ou le fonctionnement d'une administration scolaire de district d'une autre façon que celle prévue par la présente loi.

(2) Le ministre peut approuver ou rejeter la demande et doit y donner suite dans les 90 jours suivant sa réception.

(3) S'il rejette la demande, le ministre fournit aux résidents les motifs écrits de sa décision.

(4) S'il approuve la demande, le ministre peut, par règlement, prévoir les mesures nécessaires à la constitution et au fonctionnement de l'administration scolaire de district faisant l'objet de la demande, et l'administration scolaire de district est constituée lorsque les exigences prévues aux règlements ont été respectées.

(5) Le ministre attribue, en conformité avec l'article 81, des pouvoirs et des fonctions à l'administration scolaire de district constituée en vertu du paragraphe (4).

Demande
 désignation of
 members

(2) Where the Minister dissolves a Divisional Education Council, the members shall be deemed to have resigned from the Divisional Education Council.

Order to
 dissolve
 education
 division,
 education
 district

116. (1) Subject to subsection (2), the Minister may, by order, declare that on and after a day specified in the order an education division or an education district is dissolved.

Resonance on
 making order

(2) No order shall be made under subsection (1) until the Minister has approved arrangements to satisfy the existing financial obligations of the education division or education district to be dissolved.

Arrangements

(3) On the dissolution of an education division or education district, the Minister shall, by order, make the arrangements that the Minister considers proper and expedient with respect to the transfer of the assets and liabilities of the education division or education district and any other adjustments and settlements that may be necessary to wind up the affairs of the education division or education district.

Duties and Powers of Education Boards

Duties of
 education
 body

117. (1) Subject to subsections 81(3), (5), (6) and 102(3), an education body shall, for the area within its jurisdiction,

- (a) provide education to all students in accordance with this Act and the regulations;
- (b) ensure the enforcement of the registration of a child under section 12;
- (c) administer and manage the educational affairs of the education body in accordance with this Act and the regulations;
- (d) consider any comments and recommendations, with regard to a school, that are provided by the students, student representatives, parents and school staff who have an interest in that school;
- (e) at the beginning of each academic year, invite each principal to have a student representative from each school attend and participate in the public meetings of the education body and establish guidelines for the participation of student representatives in those

(2) Les membres du conseil scolaire de Division qui est dissous par le ministre sont réputés avoir démissionné du conseil scolaire.

116. (1) Sous réserve du paragraphe (2), le ministre peut, par arrêté, déclarer qu'une division ou qu'un district scolaire est dissous à compter de la date précisée dans l'arrêté.

(2) Le ministre ne peut prendre l'arrêté visé au paragraphe (1) tant qu'il n'a pas approuvé des dispositions visant l'exécution des obligations financières existantes de la division ou du district scolaire qui doit être dissous.

(3) À la dissolution de la division ou du district scolaire, le ministre prend, par arrêté, les dispositions qu'il estime appropriées et utiles en ce qui concerne la cession de l'actif et du passif de la division ou du district scolaire et les autres ajustements et règlements qui peuvent être nécessaires à la liquidation des affaires de la division ou du district scolaire.

Attributions des organismes scolaires

117. (1) Sous réserve des paragraphes 81(3), (5), (6) et 102(3), l'organisme scolaire, pour le territoire qui relève de sa compétence :

- a) dispense de l'instruction à tous les élèves en conformité avec la présente loi et ses règlements;
- b) fait en sorte que les enfants soient inscrits à une école en vertu de l'article 12;
- c) administre et gère ses affaires éducationnelles en conformité avec la présente loi et ses règlements;
- d) étudie les commentaires et les recommandations que lui font, à l'égard d'une école, les élèves, les représentants des élèves, les parents et le personnel scolaire qui ont un intérêt dans cette école;
- e) au début de l'année d'enseignement, invite chaque directeur d'école à faire assisier et participer aux réunions publiques de l'organisme scolaire un représentant des élèves de chaque école et établit les lignes directrices pour la participation des représentants des

- meetings:
- (i) enter into agreements with health, justice, social services and other community agencies for the provision of support services to students in addition to those provided under subsection 7(2) where, in the opinion of the education body, the services are necessary for the effective delivery of the education program and individual education plans;
 - (g) provide support services in accordance with the directions of the Minister under subsection 7(2);
 - (h) provide students with text books and other learning materials and, where in the opinion of the education body it is necessary, fix prices for those books and materials;
 - (i) provide library, audio-visual and other resource materials;
 - (j) subject to sections 38 to 43, attempt to settle all disputes relating to the education program and individual education plans that arise between a student or his or her parent and education staff;
 - (k) with the advice of education staff, parents and community elders, develop and deliver culture based school programs in accordance with the requirements of the curriculum;
 - (l) provide direction to and supervise the Superintendent in the recruitment, hiring, employment, discipline and dismissal of education staff and school staff in accordance with this Act, the regulations and the *Public Service Act* Repealed. Standing Committee on Legislation, May 26, 1995.
 - (m) Repealed. Standing Committee on Legislation, May 26, 1995.
 - (n) set out powers and duties of the Superintendent, in addition to those set out in this Act;
 - (o) hold a public meeting annually to consult with parents, community elders and other members of the community regarding the goals and plans for the school program for the next school year;
 - (p) monitor, evaluate and direct the delivery of school programs to assure the highest possible education standards in the

- élèves à ses réunions
- l) conclure des accords avec les organismes communautaires, notamment les organismes judiciaires, de services sociaux et de santé, en vue de la fourniture de services de soutien aux élèves, en plus de ceux visés au paragraphe 7(2) si, à son avis, ces services sont nécessaires à l'application efficace du programme d'enseignement et des plans d'études individuels;
 - g) fournir en vertu du paragraphe 7(2) des services de soutien en conformité avec les directives du ministre;
 - h) fournir aux élèves des manuels et d'autre matériel didactique et, s'il estime que cela est nécessaire, fixe le prix de ces manuels et de ces fournitures;
 - i) fournir des bibliothèques, du matériel audio-visuel et d'autres ressources;
 - j) sous réserve des articles 38 à 43, tenter de régler tout litige qui survient entre un élève ou son parent et le personnel d'éducation au sujet du programme d'enseignement et des plans d'études individuels;
 - k) sur l'avis du personnel d'éducation, des parents et des aînés au sein de la collectivité, élaborer et offrir des programmes scolaires fondés sur la culture en conformité avec les exigences du programme d'études;
 - l) donner des directives au surintendant et le superviser à l'occasion de l'embauche de membres du personnel d'éducation et du personnel scolaire, de la prise de mesures disciplinaires à leur endroit et de leur renvoi en conformité avec la présente loi, ses règlements et la *Loi sur la fonction publique*;
 - m) Abrogé. Comité permanent de la Législation, le 26 mai 1995.
 - n) prévoir les attributions du surintendant, en plus de celles mentionnées dans la présente loi;
 - o) tenir une réunion publique annuellement afin de consulter les parents, les membres de la collectivité, notamment les aînés, au sujet des objectifs et des plans relatifs au programme scolaire

- school:
- (g) evaluate school program plans and provide direction with respect to those plans;
 - (r) in accordance with the regulations, evaluate and provide support to home schooling programs;
 - (s) in accordance with the regulations, establish and advise the Minister of the hours for the academic year for schools, the opening and closing dates for schools and dates for vacations and for the observance of holidays for schools;
 - (i) prepare and submit to the Minister the reports and evaluations required by this Act and the regulations;
 - (u) follow the directions of the Minister,
 - (v) where in the Territories the right of parents under section 23 of the *Canadian Charter of Rights and Freedoms* to have their children receive instruction in French applies, in accordance with the regulations,
 - (i) establish *comités de parents francophones*,
 - (ii) establish *conseils scolaires francophones*, and
 - (iii) delegate to the *conseils scolaires francophones* the powers and duties that are necessary for the delivery of French language instruction and the management of French language instruction in the education district and
 - (w) provide accommodation to senior secondary students in accordance with section 10.
- (2) In addition to the duties set out in subsection (1) and subject to subsections 81(3), (5), (6) and 102(3), an education body shall, for the area within its jurisdiction,
- (a) provide equipment and facilities for school programs for physical education, athletics and recreation;
 - (b) at the direction of the Minister, enter

- pour l'année scolaire suivante;
- p) contrôler, évaluer et diriger l'application des programmes scolaires afin que les normes pédagogiques soient les plus élevées possibles dans les écoles;
 - q) évaluer les plans relatifs au programme scolaire et donner des directives à leur égard;
 - r) évaluer les programmes d'enseignement à domicile et leur fournir du soutien en conformité avec les règlements;
 - s) déterminer, en conformité avec les règlements, les heures de classe pour l'année d'enseignement, les dates d'ouverture et de fermeture des écoles, les dates des vacances scolaires et des jours fériés à observer dans les écoles, et en aviser le ministre;
 - t) présenter au ministre les rapports et les évaluations exigés par la présente loi et ses règlements;
 - u) suivre les directives du ministre;
 - v) intervenir dans les territoires où s'exerce le droit reconnu aux parents par l'article 23 de la *Charte canadienne des droits et libertés* de faire instruire leurs enfants en français, et en conformité avec les règlements :
 - (i) constituer des comités de parents francophones,
 - (ii) constituer des conseils scolaires francophones,
 - (iii) déléguer aux conseils scolaires francophones les pouvoirs et les fonctions nécessaires pour dispenser l'instruction en langue française et pour pourvoir à l'administration de celle-ci dans le district scolaire;
 - w) fournir un logement aux élèves de niveau secondaire de deuxième cycle en conformité avec l'article 10.
- (2) En plus des fonctions décrites au paragraphe (1) et sous réserve des paragraphes 81(3), (5), (6) et 102(3), l'organisme scolaire, pour le territoire qui relève de sa compétence :
- a) fournir le matériel et les installations nécessaires aux programmes scolaires en ce qui a trait à l'éducation physique,

Further duties

French
supplies-
45

50

Regulations
respecting
miscellaneous
matters

- (4) The Minister may make regulations
- (a) respecting the preparation of an operational plan referred to in paragraph 117(2)(a);
 - (b) governing the procedure by which an education body holds and withdraws funds under subsection 129(1);
 - (c) respecting the appointment of an auditor by an education body under section 130;
 - (d) prescribing the principles to be applied in conducting an audit under paragraph 131(2)(b) and 133(1)(b);
 - (e) governing the submission of a by-law, resolution or special resolution by an education body to a vote under section 143;
 - (f) prescribing the punishment, not to exceed a fine of \$500, to be imposed on summary conviction for a contravention of a regulation;
 - (g) prescribing the contents of forms for the purposes of this Act;
 - (h) prescribing any matter or thing that by this Act may or is to be prescribed; and
 - (i) that the Minister considers necessary or advisable for carrying out the purposes and provisions of this Act.

Consultation
regarding
regulations

- (5) Before making or amending regulations under this Act, the Minister
- (a) shall consult with education bodies regarding
 - (i) the proposed contents of the regulations, and
 - (ii) a draft of the regulations; and
 - (b) may consult with any person or persons regarding the proposed regulations.

CONSEQUENTIAL AMENDMENTS

Fair Practices Act

152. Subsection 2(2) of the *Fair Practices Act* is amended by striking out "board of trustees of any school" and "board of trustees" and by substituting "District Education Authority or Divisional Education Council" in each case.

Règlements
relatifs à des
sujets divers

- (4) Le ministre peut, par règlement :
- a) prévoir la préparation d'un plan opérationnel visé à l'alinéa 117(2)a);
 - b) régir la procédure par laquelle l'organisme scolaire détient et retire des fonds en vertu du paragraphe 129(1);
 - c) préciser la nomination d'un vérificateur par un organisme scolaire en vertu de l'article 130;
 - d) prescrire les principes qui doivent être appliqués à la vérification faite en vertu des alinéas 131(2)b) et 133(1)b);
 - e) régir la soumission d'un règlement administratif, d'une résolution ou d'une résolution spéciale par un organisme scolaire à un vote en vertu de l'article 143;
 - f) prescrire la peine, consistant en une amende maximale de 500 \$, à imposer par procédure sommaire pour la contravention à un règlement;
 - g) déterminer le contenu des formules pour l'application de la présente loi;
 - h) prendre toute mesure d'ordre réglementaire prévue par la présente loi;
 - i) prendre toute autre mesure nécessaire à l'application de la présente loi.

- (5) Avant de prendre ou de modifier un règlement pris en vertu de la présente loi, le ministre :

Consultation
relative au
règlement

- a) consulte les organismes scolaires sur le contenu proposé du règlement ainsi que sur sa rédaction;
- b) peut consulter toute personne au sujet du projet de règlement.

MODIFICATIONS CORRÉLATIVES

Loi prohibant la discrimination

152. Le paragraphe 2(2) de la *Loi prohibant la discrimination* est modifié par :

- a) suppression de «ou le conseil scolaire d'une école» et par substitution de «, une administration scolaire de district ou un conseil scolaire de division»;