

# The Language of Instruction in Québec and the Role of the Examining Committee on the Language of Instruction

## Serious Family or Humanitarian Situation Charter of the French language (section 85.1)

This document is provided for information purposes only. The applicable laws take precedence over their interpretation in this document.



### The Language of Instruction in Québec

Québec adopted the *Charter of the French language* in 1977. This Charter sets out that in Québec, French is usually the language of instruction in kindergarten, elementary school and secondary school (section 72). However, there are situations where the Minister of Education may authorize students to attend an English-language public school or subsidized private school.

### Who Can Attend an English-Language School in Québec?



The Charter of the French language sets out different situations in which a student may be entitled to study in English in Québec. For the purpose of issuing the relevant authorizations, the Ministère de l'Éducation must analyze such situations in keeping with the applicable legal provisions based on the profile of the child or of a member of their family, and on certain life circumstances. See below a **very general** description of these situations:

1. For example, the children of a parent who is a Canadian citizen and who, based on certain circumstances, received the greater part of their elementary instruction in English in Canada, and their brothers and sisters (sections 73, 76 and 86.1)
2. Children with certain serious learning disabilities for whom instruction in English is necessary to foster their learning, and their brothers and sisters (section 81)
3. In some cases, children staying in Québec temporarily (only under sections 84.1 and 85)
4. **Children experiencing a serious family or humanitarian situation and who have received a letter of refusal from the Bureau de l'admissibilité à l'enseignement en anglais of the Ministère for a request regarding one of the first three situations (section 85.1)**

### What Is a Serious Family or Humanitarian Situation?



A serious family or humanitarian situation is a real situation experienced by the family or the child. It is not a situation that is possible or probable. A situation is serious if it has significant or dangerous consequences for the family or the child.

For example, having a preference for English as the language of instruction or having an easier time in that language are not reasons that prove the child is experiencing a serious family or humanitarian situation.

### The Role of the Examining Committee

#### Two key functions

1

**Examine each request** for eligibility to receive instruction in English, submitted for kindergarten, elementary school or secondary school students.<sup>1</sup>

2

**Report its observations and recommendation to the Minister** for each child:

- **authorize the child<sup>2</sup>** to receive instruction in English if their file proves that they are experiencing a serious family or humanitarian situation (favourable recommendation); or
- **not authorize the child** to receive instruction in English if their file does not prove that they are experiencing a serious family or humanitarian situation (unfavourable recommendation).

This Committee is composed of external members with various types of expertise. They are appointed by the Minister of Education.

<sup>1</sup> Requests for individuals who have completed secondary school will be refused.

<sup>2</sup> Please note that this eligibility is unique and non-transferable to siblings or other family members.



# How Do You Submit a Request to the Examining Committee?



To submit a request to the Examining Committee on the Language of Instruction, you must do the following:

- 1

Contact a representative of the selected English-language school board or private school<sup>1</sup> to submit a request for a certificate of eligibility to receive instruction in English. This representative will send your request to the Bureau de l’admissibilité à l’enseignement en anglais of the Ministère.

  - The Bureau de l’admissibilité à l’enseignement en anglais will process your request and send you a response by mail within 20 working days of receiving your request.
  - If your child’s situation does not meet the eligibility criteria set out in the Charter (sections 73, 76, 81, 84.1, 85 and 86.1), you will receive an unfavourable response (a letter of refusal) from the Bureau de l’admissibilité à l’enseignement en anglais.
- 2

You can then prepare the letter explaining the situation that justifies your request and send it to the Secretariat of the Examining Committee on the Language of Instruction together with the appropriate supporting documents.<sup>2</sup>
- 3

Within 30 days of receiving an unfavourable response (letter of refusal), you must submit your complete application file<sup>3</sup> to the Secretariat of the Examining Committee on the Language of Instruction.

1 A representative of a French-language school service centre or private school can also answer your questions if needed.  
2 The documents submitted to the Bureau de l’admissibilité à l’enseignement en anglais will be sent to the Secretariat of the Examining Committee. You are not required to send them again to the Ministère.  
3 If more than one child needs such an authorization, you must submit an application file for each child.

# What Needs to Be Included in Your Request Submitted to the Examining Committee?



Your file must include the following documents:

- ☐ the letter of refusal you received from the Bureau de l’admissibilité à l’enseignement en anglais
- ☐ a letter addressed to the Examining Committee on the Language of Instruction containing an explanation of the reasons for which a child for whom you have custody should be declared eligible for instruction in English due to a serious family or humanitarian situation
- ☐ all documents needed to confirm the facts you cite in your letter

Is your child experiencing a serious family or humanitarian situation and has your request to receive instruction in English been refused by the Bureau de l’admissibilité à l’enseignement en anglais? You can submit a request to the Examining Committee on the Language of Instruction.

The following are examples of documents\* that may accompany your letter of application:

- |   |   |
|---|---|
| <input type="checkbox"/> Recent report cards  | <input type="checkbox"/> Judgment/Order   |
| <input type="checkbox"/> Individualized education plans agreed upon with the school   | <input type="checkbox"/> The child’s certificate of change of name or of designation of sex   |
| <input type="checkbox"/> Psychosocial evaluation reports  | <input type="checkbox"/> Police reports or reports from a Crime Victims Assistance Centre (CAVAC), if an incident was reported  |
| <input type="checkbox"/> Psychology or neuropsychology reports  | <input type="checkbox"/> Document confirming the child’s level of education   |
| <input type="checkbox"/> Reports from a speech-language pathologist   | <input type="checkbox"/> Proof of the family’s status in Québec   |
| <input type="checkbox"/> Reports from a remedial teacher  | <input type="checkbox"/> Official document certifying that the person submitting the application has the legal authority to make decisions regarding the education of the child for whom the application is submitted |
| <input type="checkbox"/> Other relevant reports from professionals  |   |
| <input type="checkbox"/> Certificates of eligibility for instruction in English of the adoptive parents or of another adopted or biological child in the family |   |

\* Every situation is unique and different. We cannot provide a complete list of examples of documents that may support a request. You do not need to provide all these documents, only the ones that relate to the child’s situation.

# How Do You Follow Up on Requests With the Examining Committee?



The Secretariat of the Examining Committee on the Language of Instruction is responsible for receiving all requests and preparing them for submission to the members.

A file is complete if the facts cited are supported by documents that confirm them (e.g. reports, report cards).

The members of the Examining Committee on the Language of Instruction study each request individually. Approximately two or three times each month, they meet to review requests as a group. After review, the Examining Committee reports its observations and its favourable or unfavourable recommendation to the Minister for each file.

In the weeks following the reporting of the recommendations, the Secretariat of the Examining Committee sends the favourable and unfavourable decisions made by the Minister of Education. In total, there is usually a delay of 6 to 8 weeks (approximately 40 working days) between the receipt of requests and the issuance of decisions.

Please note that an unfavourable decision may be challenged in the Superior Court of Québec ([coursuperieureduquebec.ca](http://coursuperieureduquebec.ca)).

PROCESSING TIME  
approximately 40 working days

## Request Process

- 1

The Secretariat of the Examining Committee receives requests.
- 2

Requests are verified.
- 3

Acknowledgments of receipt\* are sent for each request received.
- 4

**Complete files** are prepared for the members of the Examining Committee.
- 5

Complete files are sent to the members of the Examining Committee.
- 6

Members of the Examining Committee study the files individually.
- 7

Members of the Examining Committee meet and prepare the report for the Minister that states the observations and the favourable or unfavourable recommendation for each file.
- 8

Recommendation files are prepared.
- 9

Decisions are made by the Minister.
- 10

Decisions are sent to applicants.

\*\* You may be asked to provide additional documents in this acknowledgement of receipt.



## Contact Information of the Secretariat of the Examining Committee on the Language of Instruction

For all question regarding your file or the Examining Committee on the Language of Instruction, you can contact us at any time.

Secrétariat du Comité d'examen sur la langue d'enseignement  
Direction de l'accès à l'information et des plaintes  
1035, rue de La Chevrotière, 27<sup>e</sup> étage  
Québec (Québec) G1R 5A5



Email: [comite-CELE@education.gouv.qc.ca](mailto:comite-CELE@education.gouv.qc.ca)



Telephone: 418-643-4806, ext. 2  
Toll-free: 1-866-643-4806, ext. 2  
Fax: 418-643-1602

## Psychological Help and Support

If you need help with the serious situation that you or the child for whom you have custody is experiencing, the professionals at Info-Santé are there for you. Info-Santé is a free and confidential telephone consultation service offering support 24/7. Dial 811 to reach this service.