



A REVIEW OF THE OFFICIAL LANGUAGES ACT AND IMPROVING SECOND LANGUAGE LEARNING IN NEW BRUNSWICK: **CONSULTATION 2021**

BACKGROUND

On February 26, Premier Blaine Higgs announced the appointment of two commissioners to undertake this review.

Judge Yvette Finn and John McLaughlin were given the mandate to oversee the review process and to consult the public on matters relating to the *Official Languages Act*. The two Commissioners were also given an additional mandate to find ways to improve access to learning both official languages for New Brunswickers.

One of the objectives is to develop a skilled workforce capable of providing services and working in both official languages.

The Commissioners' role will be to oversee the review process, to consult with the public and key stakeholders, to review suggestions and recommendations submitted during the process and to present a final report to Government with recommendations for each of the two review topics by December 31, 2021. The final report will be a public document.

ASPIRATIONAL GOALS

It is hoped that recommendations and Government decisions generated by this review will:

- Strengthen the province's ability to deliver high-quality services to New Brunswickers in both official languages;
- Ensure all New Brunswickers have an opportunity to enjoy the benefits of communicating in both official languages;
- Build strong connections between the two linguistic communities to improve New Brunswick's social cohesion and economic success; and
- Celebrate New Brunswick's leading role in Canada as the only officially bilingual province in the country.

YOUR VIEWS MATTER

As part of this review, the website **BilingualNB.ca** was developed. You will find a questionnaire that will guide the sharing of your thoughts and comments. Also, rest assured that we will consider your views on any relevant issue of concern to you in relation to either of the mandates entrusted to the two Commissioners. We will be gathering input until August 31, 2021.

HISTORICAL CONTEXT OF THE RECOGNITION OF OFFICIAL BILINGUALISM

In April 1969, the Province of New Brunswick adopted the *Official Languages Act*, which made official bilingualism one of the fundamental characteristics of the province. It placed the English and French languages on an equal footing. Among other things, the new *Act* required provincial officials to ensure that government services were available in either official language when requested by a recipient. It was intended that provincial legislation would require, from the date of proclamation, to be enacted in both official languages.

In July 1981, the Legislative Assembly of New Brunswick adopted the *Act Recognizing the Equality of the Two Official Linguistic Communities* in New Brunswick. This legislation, often referred to as *Bill 88*, was intended to affirm the equal status and equal rights and privileges of the two linguistic communities. The Government of New Brunswick has an obligation to ensure the protection of this equality of communities which are entitled to distinct institutions offering cultural, educational and social activities. This *Act* imposes a duty to promote, through positive measures, the development of both official linguistic communities.



The following year saw the adoption of the *Canadian Charter of Rights and Freedoms* in the Constitution of Canada. Sections 16 to 20 of the *Charter* are significant from the standpoint of language rights for New Brunswick since they effectively enshrine in the Constitution the official bilingualism of the province.

In 1993, section 16.1 was added to the *Charter* in the *Constitution Act, 1982*. This provision guarantees the equality of the English and French communities in New Brunswick. The principles of *Bill 88* are now part of our constitution.

In August 2002, the Province of New Brunswick adopted a new *Official Languages Act*. It then included the constitutional guarantees adopted since the initial 1969 *Act*. Certain measures related to implementation were added, including the obligation for provincial institutions to actively offer their services in the language chosen by the recipient.



An important element is the appointment of a Commissioner of Official Languages, whose role is to investigate and make recommendations on compliance with the *Act* and to promote the advancement of both official languages. The first Commissioner took office on April 1, 2003.

In addition, a review of the *Act* was required to be undertaken by the end of 2012.

This review was conducted by the Legislative Assembly's Select Committee on the Review of the *Official Languages Act*, which tabled its final report in the spring of 2013. This committee, composed of government and opposition members, was tasked with reviewing the *Act* and conducting a consultation. The bulk of the recommendations in its report were included in a bill that was unanimously passed by the Legislative Assembly.



From then on, the preparation of an official languages' implementation plan and action plans for each department, reviewed annually, are required. New measures were introduced for professional associations and government contractors who became subject to new language requirements.

Section 42 of the *Act* provides that a new review of the *Act* must be completed by December 31, 2021.

It is in this context that the provincial government appointed two commissioners to consult with the public and make recommendations in their report to the government.

ISSUES TO PONDER

The *Official Languages Act* of New Brunswick provides for the provision of services in both official languages by government institutions. It sets out criteria for the sectors of activity to which the *Act* applies, including police services, health services, professional associations and municipalities.

- **What services should be specified in the *Official Languages Act*?**

The Government of New Brunswick is committed to actively offering and providing services of equal quality, in English or French, no matter where you live in the province. Today, new technologies such as social media and the Internet have significantly changed the way we communicate and access information.

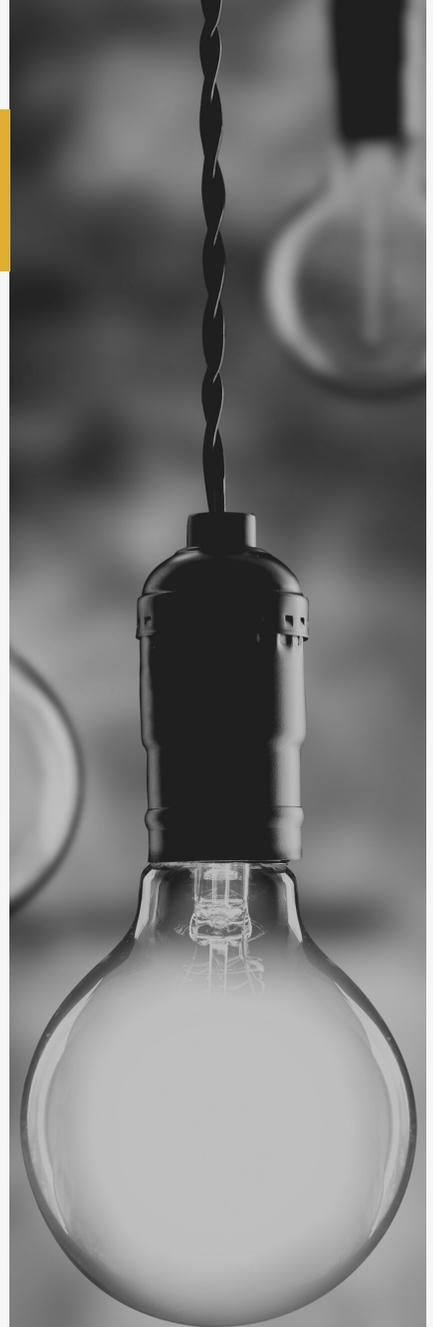
- **What new technologies could make government services more accessible in both official languages?**

With the adoption of the *Official Languages Act*, the Government of New Brunswick recognized the importance of promoting both official languages.

- **What opportunities do you see for New Brunswick as a result of official bilingualism? How could the government take advantage of these opportunities to further develop the province?**

The *Official Languages Act* specifies that the role of the Commissioner of Official Languages is to investigate, report and make recommendations on compliance with the *Act* and to promote the advancement of both official languages.

- **What should be the role of the Commissioner of Official Languages? What measures would enable the Commissioner to adequately fulfill their role as prescribed by the *Act*?**



IMPROVING SECOND-LANGUAGE LEARNING

The focus areas of the second-language learning review will be the following:

- Improve access to and the quality of second language instruction in the public education system, from early childhood to adulthood.
- Improve second language instruction and best practices throughout all stages of life, with a focus on language training for the unemployed and underemployed.
- Help define New Brunswick's role as a bilingual, open society that values social, cultural, political and economic freedoms, as well as the protection of the vulnerable.

This could include exploring issues such as, but not limited to:

- Ensure that as many students as possible in both the Anglophone and Francophone school system graduate with the capacity to converse in their second language.
- Align Early Childhood through Grade 12 language learning programs with language expectations of employers, including aligning assessment and evaluation in the education system with the public service entrance and assessment standards.
- Make specific recommendations for improving second-language instruction and best practices for second-language education programs including, but not limited to, Early Childhood Education, K-12 public schools, post-secondary education and adult education with a focus on language training for the un- and underemployed.



CURRENT CONTEXT

As Canada's only officially bilingual province, New Brunswick has shown significant commitment to providing a variety of second-language learning opportunities to the youth and adults of the province.

Bilingualism is an essential competency in today's world. As with other life skills, acquiring a second language requires multiple opportunities over time to practice and master proficiency.

Recognizing that language learning is a lifelong pursuit, many programs are offered in the early learning and education system, in post-secondary education and in the workforce.



Early Learning

The early years of a child's life provide the biggest window of opportunity to influence the brain in ways that will create a lifelong foundation for success in school and in life. The stimulation of language and communication is the foundation of literacy and is critical to children's early development.

The New Brunswick early learning and child care system comprises licensed facilities across the province that offer services for children from birth to age 12 while parents/guardians are working or studying. Facilities are privately owned and publicly supported. They use one of the curriculum frameworks provided by the Minister.



The curriculum frameworks for preschoolers in child care centres do not include second-language programming. However, the New Brunswick's Early Learning and Child Care Curriculum values diversity and includes valuing cultures and languages. Also, the *Curriculum éducatif pour la petite enfance francophone du Nouveau-Brunswick* includes language learning as it relates to francization (learning French for children who only speak English or another language) and refrancization (when a child previously spoke French, but no longer does).

Public Education – Kindergarten to Grade 12

In keeping with the *Education Act*, New Brunswick has a dual education system where two distinct education sectors are established, and school districts, schools and classes are organized by linguistic sector. This is also true for the divisions within the Department of Education and Early Childhood Development responsible for educational programs and services.

In the Anglophone sector there are two programs to learn French as a second language. Students may choose English Prime (and have access to FLORA (French Language Opportunities in Rural Areas), Pre-Intensive, Intensive, and Post-Intensive French with the opportunity for some students to enter Late French Immersion in Grade 6). Students may also choose to enter Early French Immersion in Grade 1. The provincial assessment program includes French oral proficiency assessments.

In the Francophone sector, the provincial English Second Language curriculum begins in Grade 3 with Path A (for beginners) and Path B (for more advanced students). In largely French-speaking regions of the province, schools may choose to introduce English before Grade 3 (local initiatives); and an "intensive" Path A can be offered in Grades 5 and/or 6 (optional). In mainly English-speaking regions, some schools do not begin teaching English as a second language until Grade 5. There is no English immersion program in Francophone schools, and the provincial assessment program does not include an English Second Language assessment.

Post-Secondary Education and Workplace

Various second-language learning opportunities and different models of delivery exist in New Brunswick for individuals who want to learn English or French as a second language.

Universities, New Brunswick Community Colleges, private language schools and community organizations offer a variety of language programs and immersion opportunities for adults, including post-secondary students, employees or newcomers.

Courses can be general language courses or specialized for specific careers and are usually flexible in terms of locations and schedules. Most programs require a fee. For unemployed adults with an employment action plan with Working NB, support may be available to pay for language training.

And finally, New Brunswick has significant research capacity. For example, the University of New Brunswick is home to the Canadian Institute for Second Language Research and the Université de Moncton is host to the Canadian Institute for Research on Linguistic Minorities.



ISSUES TO PONDER

Providing the opportunity for all New Brunswickers to learn their second official language and comfortably communicate in both English and French is how we achieve a truly bilingual society. Despite efforts over several decades to nurture bilingualism through our education system, every year a many students graduate without the ability to converse in their second official language.

- **What ideas do you have to encourage second-language learning in our youngest children from birth until they enter the school system?**
- **What should quality second-language education look like in New Brunswick's public school system?**

Many New Brunswick adults are not able to comfortably communicate in both English and French in professional or social settings.

- **How can our government support adults who wish to improve their second-language capabilities?**

While New Brunswick officially recognizes two linguistic communities, to become a truly bilingual province it is important that all residents interact in a harmonious and mutually respectful and supportive manner.

- **What strategies can be put in place to encourage positive interaction among all New Brunswickers, to generate a strong sense of social cohesion?**

There are many things to celebrate about being Canada's only officially bilingual province. At the same time, it is only natural that a social arrangement of this magnitude will bring challenges that can become barriers to success.

- **What is at the heart of any tensions that exist around official bilingualism? How can we address these challenges?**

