



PRESS RELEASE

For Immediate Release

DISSOLUTION OF A DEC FOR USING FUNDS TO DEFEND THE INTERESTS OF STUDENTS

Edmundston, July 16, 2024 - The [Fédération des Conseils d'Éducation du Nouveau-Brunswick](#) (FCÉNB) is deeply concerned about the recent decision by the Minister of Education and Early Childhood Development (EECD) to take legal action to dissolve a [District Education Council](#) (DEC) for using public funds to defend the interests and rights of students, and to threaten individual legal action against members of this council. "We are deeply concerned by these initiatives, which constitute a direct attack on the decision-making autonomy of the DECs, and by the fact that these threats will not make it any easier to recruit new candidates for the 2026 school elections," says FCÉNB Chair Marie-Ève Rousseau.

This legal uproar stems from a recent change the Department made to Policy 126 - Provision of Legal Advice to District Education Councils. "Since December 23, 2023, the Department has made it impossible for DECs to obtain expert legal advice to make informed decisions for the well-being and success of all students when they believe that government decisions are not judicious for all students," says FCÉNB Chair Marie-Ève Rousseau.

The chances of a DEC effectively defending itself against dissolution are now exceedingly limited by recent changes to Policy 126 by the Department of Education. The amended policy stipulates that in the event of a conflict of interest between the government and the DEC or school district, no additional financial or legal support will be granted by the province. This restriction considerably reduces the resources available to the DEC for its defence. In addition, while the DEC has the right to retain legal counsel to contest the dissolution, the Minister clarified that the use of outside-of-province counsel will not be permitted. "This limitation further restricts the DEC's defence options, as it is forced to defend itself with insufficient legal means and without the financial support of the province, which considerably weakens its chances of success in court," confirms Mrs. Rousseau.

In his attempt to dissolve the District Education Council, accompanied by threats of personal prosecution against its members, the Minister is demonstrating a flagrant oppression of democratic principles as well as a clear form of intimidation. These practices, condemned in our schools for their destructive impact on the working and educational environment, should also be firmly rejected at government level. "The Minister of Education, as the figurehead for promoting the values of integrity and respect, has a duty to set an example by behaving in a way that reflects the highest ethical standards, not by resorting to coercive and unfair tactics," urges FCENB Chair Rousseau.

The FCENB considers this new version of Policy 126 to be contrary to fundamental principles of governance. DECs must be able to effectively defend the interests of their students without fear of reprisal or dissolution. "School governance is one of the oldest forms of democracy in Canada, and it's important that DECs have an informed voice on provincial policy, defending their views and those of their communities," says Ms. Rousseau.



The FCÉNB also affirms that the recent actions of the Minister of Education seriously threaten not only the integrity of our education system and local governance, but also the very fabric of our democratic society. "By undermining the fundamental principles that govern our school system and compromising the crucial role of local authorities in decision-making, these measures jeopardize the balance and cohesion that are essential to the proper functioning of our democracy and the well-being of our communities," adds FCÉNB Chair Marie-Ève Rousseau.

We invite the Department of Education and Early Childhood Development to engage in a constructive dialogue with District Education Councils to find a balanced solution that respects the interests of students, DEC's and current legislative standards. "We call on the Department to re-examine Policy 126 so that DEC's can fully exercise their management rights, their legal rights, and adequately represent their school communities," concludes the FCÉNB Chair.

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La Fédération des conseils d'éducation du Nouveau-Brunswick s'est donné comme mission que « Les conseils d'éducation francophones du Nouveau-Brunswick ont les conditions favorables pour gouverner avec succès les districts scolaires francophones du Nouveau-Brunswick. »

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