

# FRENCH POLICY

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## INTRODUCTION

First Nations peoples, with their diverse languages and cultures, were present for thousands of years before any European languages were spoken, on the traditional territories of Treaty Six, Seven and Eight, in what is now Alberta<sup>1</sup>. French was the first European language spoken in Alberta, and the most commonly spoken European language in the territories until about 1870. Many Métis people also spoke the language of their French ancestors.

Today, French is the most widely spoken language in Alberta after English due in part to interprovincial migration and immigration. According to Statistics Canada (2011), more than 238,000 Albertans speak French. This includes individuals whose families have been here for generations, those who have come from across Canada and others who have come from around the world. This number also includes 81,000 francophones (those who have French as a first language) and the many thousands who have learned and continue to speak French as a second language. For example, approximately one in three Alberta students is enrolled in a French language program (Kindergarten to Grade 12). According to Statistics Canada, by 2036, growth in the French-speaking populations of Canada is projected to be highest in Alberta and the territories, with growth scenarios ranging somewhere between 25% and over 50%.

Alberta has one of the fastest growing francophone populations in Canada. Alberta also has the fourth largest francophone population after Quebec, Ontario and New Brunswick.

Canada has a rich heritage of people coming together and sharing their languages and cultures with one another. This history has helped define who we are as a nation. As Canadians, we value multiculturalism and recognize English and French as the country's two official languages. French and English are also present in Alberta and contribute to the province's social and cultural fabric. The Government of Alberta wishes to acknowledge this by demonstrating our respect for Canada's official language communities and by fostering a stronger sense of belonging, enabling Albertans to thrive and enjoy a high quality of life.

In this spirit of making the lives of French-speaking Albertans better, the Government of Alberta established the Francophone Secretariat in 1999 to act as a liaison between government and the province's Francophonie. The number of government services in French has grown over time, including significant supports in Kindergarten to Grade 12 as well as post-secondary education. The growing French-speaking population has meant that government is facing increased demand for services and must respond. There is a need to bring forward a more respectful, consistent and collaborative approach to engagement and the provision of services in French.

The provision of select government services in French and other supports to the community is not an obligation, but a decision that the Government of Alberta, through its ministries and agencies, has made. Through more dialogue, proactive collaboration and ongoing partnerships with diverse stakeholders serving the province's French-speaking population, the Government of Alberta can better understand the Francophonie's unique needs, continue to enhance the development and delivery of meaningful services in French, and support the development and vitality of Alberta's Francophonie for future generations.

<sup>1</sup> Treaty Six (1876 & 1889), Seven (1877) and Eight (1899) are the traditional meeting grounds, homes and travelling routes for many Indigenous Peoples, including Cree, Saulteaux, Blackfoot, Métis, Nakota Sioux, Nakoda, Dene, Plains Cree, Woodland Cree, Beaver Cree, Ojibwe/Chippewa, Tsuu T'ina, Chipewyan, Niitsitapi (Blackfoot), Nakoda (Stoney), Tsuut'ina.

Alberta's French-speaking population is growing and contributing to Alberta's increased diversity, furthering Alberta's attractiveness as a destination for interprovincial migration, immigration, tourism and investment. The French Policy detailed in the following pages recognizes this and represents a historic step for the Province. In addition to meeting its current constitutional and statutory obligations<sup>2</sup>, the Government of Alberta is making a commitment to enhance the development and delivery of services in French in ways that are practical and meaningful for Albertans. This is not about making the province bilingual. It is about ensuring that government is responsive in considering the needs of Alberta's largest language community after English, and one of the fastest growing. It is also about recognizing our province's history, our country's commitment to the two official languages, and building upon a meaningful and collaborative relationship between the Government of Alberta and Alberta's French-speaking communities.

## ALBERTA'S FRENCH POLICY

The Francophonie<sup>3</sup> is part of Alberta's past, present and future. French is one of Canada's two official languages and a vibrant component of its diversity. French is the most widely spoken language in Alberta after English and is projected to continue to grow in the years to come. This will result in more requests for services in French in Alberta. Alberta has an opportunity to better serve a significant portion of Albertans, while also enhancing Alberta's competitive advantage and strengthening the province's relationship with the Francophonie across Canada and the world.

Alberta joins other provinces and territories that have made this commitment to French speaking communities through policy and/or legislative frameworks.

### *Policy statement*

*The Government of Alberta acknowledges the past, present and continued social, cultural and economic contributions of the province's significant and diverse French-speaking population. Through meaningful engagement, dialogue, and collaboration, the government is committed to enhancing services in French to support the vitality of the Francophonie in Alberta in a targeted and sustainable manner as resources allow.*

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<sup>2</sup> Alberta's constitutional and statutory obligations: Although the Government of Alberta is not subject to the federal *Official Languages Act*, it does have constitutional obligations respecting French under the *Canadian Charter of Rights and Freedoms*. Under section 23 of the Charter, minority language primary and secondary education rights are protected. Alberta established francophone schools and francophone school authorities throughout the Province in response to section 23. Under section 19 of the Charter, either English or French may be used by "any person in, or in any pleading issuing from, a court established by Parliament" (Supreme Court of Canada, the Federal Court and the Tax Court). In addition, the Criminal Code provides that, upon application, a person who speaks either official language is entitled to have proceedings in the official language of their choice.

Alberta's 1988 *Languages Act* does not specifically speak to services; it clarifies that English is the language of Alberta legislation, allows MLAs to use either English or French in the Legislative Assembly and provides that a person may speak in either English or French in any of Alberta's courts. In practice, when a person exercises this right, a translator is provided for the benefit of the court and other parties.

The *Languages in the Courts Regulation*, passed under the *Languages Act*, applies to the prosecution of provincial offences (criminal prosecutions are governed by the Criminal Code). A person wishing to speak French shall give reasonable notice to the court and the Crown, and a translator will be provided. A trial can be held in French or alternatively in French and English on request of the defendant and with consent of the prosecutor and the judge. There is no statutory right for a full French trial in civil matters.

<sup>3</sup> The Government of Alberta uses the term "Francophonie" as an inclusive term to describe French-speaking individuals and communities, and also to represent the organizations that support its vitality. The term French-speaking is used to refer to individuals who may speak French as the first official language learned and still understood (francophone) or as a learned language.

*What the policy aims to achieve:*

- Albertans who choose to do so can learn, speak, live and thrive in French through the vitality of their communities.
- The contributions and potential of French-speaking Albertans to the province are recognized.
- The province's relationship with the Francophonie across Canada and the world is strengthened.
- Engagement with stakeholders who are able to serve Albertans in French is more meaningful.
- More government services are voluntarily and incrementally provided in French.
- Services targeted to be provided in French strengthen the sense of belonging to the province among French-speaking individuals, enhance the Francophonie's vitality and reflect its priorities to ensure that available resources are used most effectively.
- When government provides services in French, those services are of comparable quality and accessibility to English services.
- Institutions, organizations and service providers able to provide services in French will share their perspectives and priorities with the Government of Alberta on how to support their communities.

## GUIDING PRINCIPLES

These guiding principles should be read, individually and collectively, in terms of their objective of enhancing services in French and supporting the continued development and vitality of French speaking communities in the province.

These guiding principles do not intend to create new obligations, nor do they limit or undermine any of Alberta's constitutional or statutory obligations. They do, however, help guide Alberta's approach to voluntarily and incrementally enhancing access to services in French and thus contribute to the vitality of Alberta's French-speaking communities.

### *Recognition and Visibility*

The Government of Alberta recognizes and embraces its francophone history and the continued contributions of its dynamic and diverse French speaking population.

### *Ongoing Development and Vitality*

The Government of Alberta's revitalized engagement and actions undertaken with Alberta's Francophonie are driven by a desire to support the ongoing development and vitality of Alberta's French-speaking communities, encouraging its diverse cultural expressions for future generations.

### *Relevant, Accessible, and of Comparable Quality*

Services in French that are currently provided or developed in the future are practical and respond to the real needs of the French speaking community. Once a service is provided, it is usable, accessible, and of comparable quality to services available in English.

### *Proactive Collaboration and Engagement*

The Government of Alberta considers Francophonie stakeholders as valuable partners in the development and delivery of services and other supports in French.

## SCOPE

This policy applies to all Government of Alberta departments, agencies, boards and commissions.

## APPROACH

To ensure practical effect will be given to this policy, the Government of Alberta endorses the following:

### Recognition and Visibility

- The Government of Alberta acknowledges that many organizations and institutions comprise the Francophonie across sectors and across the province, forming a vast and diverse provincial network. Within this network, the Government of Alberta has formally acknowledged the following entities:
  - The Association canadienne-française de l'Alberta (ACFA), founded in 1926 and incorporated in 1964 under the *ACFA Act*; and
  - Francophone Regional authorities, recognized through the *School Act* as the governance structures of Section 23 right holders under the *Canadian Charter of Rights and Freedoms*.
- The Government of Alberta will enhance efforts to acknowledge the past, present and continued social, cultural and economic contributions of the province's diverse French speaking population through initiatives such as the Rendez-vous de la Francophonie held annually in March.
- The Government of Alberta will seek opportunities to raise awareness about the Francophonie's symbols, including the monument "Empreinte francophone" on the Legislature grounds and by recognizing the Franco-Albertan flag as the first Symbol of Distinction under the *Emblems of Alberta Act*.

### Ongoing Development and Vitality

- The Government of Alberta recognizes that the continued growth and vitality of the Francophonie can be supported by continuing to foster early childhood supports, primary and secondary education, and post secondary programming in French.

## Service Delivery and Development

- Ministries will consider Francophonie perspectives and opportunities to improve services in French when new Government of Alberta programs and services are being developed.
- In the case of a stand-alone program or service in French that the government intends to open to tender, the government will consider a proponent's knowledge of and ability to engage with other French-language services or programs.
- Ministries will consider the implications of or upon the French Policy when negotiating federal-provincial agreements, particularly on potential clauses related to engagement with the official language minority and provision of services in French.
  - Provided there is a legal translation, the Government of Alberta will sign in both French and English the Canada-Alberta Agreement on French Language Services and the Protocol for Minority-Language Education and Second-Language Instruction, with both versions being authoritative.
- Government departments, agencies, boards and commissions will work closely with the Francophone Secretariat to use an active offer approach<sup>4</sup> with respect to services in French, specifically ensuring that existing government resources available in French will be promoted to French-speaking Albertans. As government recruits to fill vacant positions within the Alberta Public Service, ministries will clearly identify positions where proficiency in French would be an asset.
- The Francophone Secretariat, in consultation with departments, agencies, boards and commissions, and through ongoing dialogue with Francophonie stakeholders, will assist in determining priorities for implementation.

### *Process for determining priorities*

- The process for determining priorities will be led by the Ministry responsible for the Francophone Secretariat in collaboration with other ministries. The process will be informed by the objectives and priorities set by the diverse stakeholders serving the province's French-speaking population, such as the ACFA and the Francophone Regional authorities.
- On an annual basis, the Francophone Secretariat will develop an environmental scan based on the community's objectives and priorities across sectors and across the province to help focus the government's efforts with respect to the French Policy's implementation.
- To support the French Policy's implementation, government ministries will develop and publish a multi-year plan that will identify specific stakeholders with whom to engage, and goals, objectives and measures aimed at improving services in French.

<sup>4</sup> "Active offer" means that the service is publicized to potential users, that the general public is encouraged to use the service and is comfortable doing so, and that the service quality is comparable to that of the service provided in English.

## Communications

Targeted communications in French are the cornerstone on which a respectful and more effective relationship between French speaking communities and the government can be built.

- The Government of Alberta commits to gradually improve the level and breadth of content available in French on the Alberta.ca website.
- Correspondence at the ministerial level received in French or French/English will receive a response in the language in which it was received.
- News releases will be provided simultaneously in both English and French when content specifically references services or other supports in French (e.g., francophone school infrastructure projects, commemorating the annual Rendez vous de la Francophonie) or upon request by the Premier or other Cabinet Minister.
- Where appropriate, *Langue des signes québécoise*<sup>5</sup> (LSQ; Quebec Sign Language) interpretation will be provided in relevant situations.

### *Materials for Kindergarten to Grade 12 Education*

To support Alberta in fulfilling its constitutional obligations to provide equivalent francophone education under the *Canadian Charter of Rights and Freedoms* and the *School Act*, Government of Alberta ministries will consult with Alberta Education when developing and distributing any print or digital materials intended for school aged children and youth (Kindergarten to Grade 12) and their parents/guardians to ensure simultaneous provision in English and French when materials meet any of the following criteria:

- The resource responds to educational needs set out in the Alberta curriculum; or
- The resource targets school-aged children and students and/or their parents/guardians with information that supports the Alberta curriculum; or
- The resource contains Alberta specific content (e.g., aligns with Alberta policy and positions); or
- The resource addresses in-school health/safety issues; or
- The resource addresses health/safety issues for student workplace readiness; or
- The resource encourages students' full participation and engagement in Albertan/Canadian society; and
- Comparable material is not readily available in French.

<sup>5</sup> *Langue des signes québécoise* (LSQ) is the primary sign language used by the deaf community in French-speaking Canada.

## **Dialogue, Collaboration and Representation**

The Government of Alberta values dialogue, input and participation of stakeholders who are able to serve Albertans in French in the development of government policies, programs and services affecting Albertans. The government acknowledges that French-speaking communities are aware of the needs and priorities of the Albertans they represent. Through more proactive dialogue, government will be able to identify and address priority matters as they arise.

The government's capacity to identify potential challenges and achieve positive outcomes for French-speaking Albertans depends on its ability to work together with the Francophonie. Alberta has a vast provincial network of organizations, institutions and facilities having substantial experience providing services in French. Some of these organizations also provide services on behalf of government. When government and stakeholders act collaboratively, it leads to new and alternative ideas, perspectives and solutions. Through dialogue, government departments and French-speaking communities may be able to identify areas for increased synergy and collaboration to optimize the scope and the impact of the services offered to Alberta's French speaking population.

- The Government of Alberta will establish a Provincial Francophonie Advisory Council that will ensure, on an ongoing basis, that French-speaking Albertans have a voice in the implementation of the French Policy.
- Alberta's French-speaking communities have established bodies and institutions through which language-related matters are addressed. Provided such bodies and institutions have a clear mandate from the community (e.g., actively participate in community strategic planning and priority setting fora, hold public assemblies to report back to the community on results), the government will endeavour to regularly engage with these entities at a working level on matters relating to French.
- Respecting the guidelines provided by the Public Agency Secretariat and while ensuring merit-based appointments, Government of Alberta entities will work with the Francophone Secretariat to utilize strategies aimed at French-speaking applicants to promote opportunities and broaden the applicant pool for relevant agencies, boards and commissions. Relevance will be determined through dialogue between the governing ministry, the Francophone Secretariat and community stakeholders.

## COORDINATING ROLE

The Minister responsible for the Francophone Secretariat is mandated to guide and monitor the implementation of this policy across government, including through the development and provision of Francophonie awareness workshops for members of the Alberta Public Service. Ministries must inform the Minister responsible for the Francophone Secretariat before discontinuing or otherwise significantly changing a service in French.

Each ministry will designate an existing senior official to act as a lead representative or conduit to assist and provide advice to their ministry and to the Francophone Secretariat on the implementation of the policy.

## FUNDING MECHANISM

A number of services in French are already being provided by the Government of Alberta in areas like education, access to justice, arts and heritage through those ministries' respective budgets.

Initiatives resulting from the implementation of this policy will be supported in part with federal funding administered by the Francophone Secretariat. The pace with which new initiatives may be implemented will largely depend on available resources. This policy positions the province to access additional federal funding under the official languages programs for services in French.

## EVALUATION AND REPORTING

Collecting data and measuring success are important strategies to support the implementation of this policy and to evaluate progress on its objectives.

The Francophone Secretariat will coordinate an annual report with other ministries on government initiatives undertaken to enhance services in French and support the vitality of Alberta's French-speaking communities. The report will provide information and contribute to public awareness and understanding of government accomplishments. This report will be made available online in both French and English.

## POLICY REVIEW FREQUENCY

This policy will be reviewed at least every five (5) years or upon the request of the Minister responsible for the Francophone Secretariat. The review will be carried out by the Francophone Secretariat in consultation with other departments, agencies, boards and commissions, and French speaking communities.

### FOR FURTHER INFORMATION:

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