

Bill 40

**An Act to amend mainly the Education  
Act with regard to school organization  
and governance**

Section 1

**AMENDMENT:**

Add at the end:

(4) by adding the following paragraph at the end:

““School’s capacity” includes the number of students that a school can take in according to the premises available, the school service centre’s resources and the rules applicable to group formation.”

A. J. J. J.  
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Section 107

**AMENDMENT:**

Replace by:

**107.** Section 239 of the Act is amended

(1) by replacing both occurrences of "school board" in the first paragraph by "school service centre", with the necessary modifications;

(2) by replacing the second paragraph by the following paragraphs:

"The enrollment criteria must give priority to students coming under the jurisdiction of the school service centre under the first paragraph of section 204 and, from among them, as far as possible, to students whose place of residence is nearest to the school premises, to those who have a sister, a brother or another student who they live with attending the school and to other students who already attend the school.

If the number of enrollment applications for students referred to in the second paragraph does not exceed the school's capacity, the enrollment criteria must then give priority to students from another territory who already attend the school.

The enrollment criteria must be adopted and put into force at least 15 days before the beginning of the student enrollment period; a copy of them must be sent to each governing board by the same time limit."

*Adopté*  
*R*

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Section 107.1

**AMENDMENT:**

Insert after section 107:

**107.1.** Section 240 of the Act is amended

(1) by replacing “a school board” in the first paragraph by “a school service centre” and “qu’il” in that paragraph in the French text by “que ce dernier”;

(2) in the second paragraph,

(a) by replacing “The school board” by “The school service centre”;

(b) by adding the following sentence at the end: “It must give priority to students coming under its jurisdiction within the meaning of the first paragraph of section 204.”

*A. Desautels*  
*T2*

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Section 92

**AMENDMENT:**

Replace paragraph 1 by:

- (1) by inserting the following paragraph after the first paragraph:

“To that end, any person residing in the territory of another school service centre to whom the school service centre provides services also comes under the jurisdiction of the school service centre.”

*Adopté*  
*R*

SAM 1  
AM 4  
s. 92 (204)

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Section 92

**AMENDMENT:**

In the amendment, insert “despite the first paragraph,” after “To that end,” and strike out “also”.

*Adopted*  
*R*

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Section 94

**AMENDMENT:**

Insert “, 214.3” after “214” in subparagraph *a* of paragraph 1.

*Adm*  
*R*

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Section 4

**AMENDMENT:**

Replace by:

4. Section 19 of the Act is amended

(1) by inserting “and the programs of activities or of studies established by the Minister,” after “school” in the first paragraph;

(2) by replacing the introductory clause of the second paragraph by the following introductory clause:

“The teacher, having key educational expertise, is entitled, in particular,”.

*Adopted*  
*R*

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Section 4.1

**AMENDMENT:**

Insert after section 4:

**4.1.** The Act is amended by inserting the following section after section 19:

**“19.1.** Only the teacher is responsible for assigning a result following the evaluation of the achievement of the students entrusted to the teacher’s care, except for the purposes of section 463 in the case where the teacher does not correct the examination, section 470 and in the event of a review under the last paragraphs of sections 96.15 and 110.12.”

*Adote  
R*



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Section 34

**AMENDMENT:**

Replace paragraph 2 by:

(2) by adding the following paragraph at the end:

“The standards and procedures for the evaluation of achievement referred to in subparagraph 4 of the first paragraph may not have the effect of allowing a student’s result to be reviewed by the principal. However, they must allow the principal to ask the teacher to whose care the student is entrusted to review the result assigned to the student or, if the teacher is absent or unable to act, to entrust the review to another teacher, in accordance with the conditions and procedures determined by regulation of the Minister.”

*Adante*  
*R*

SAM 1  
AM 8  
s. 34 (96.15)

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Section 34

**AMENDMENT:**

Add the following sentence at the end of the paragraph proposed by the amendment: "The principal must give reasons in writing for his or her request for the grade review."

A. Cortez  
R

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Section 43

**AMENDMENT:**

Replace paragraph 2 by:

(2) by adding following paragraph at the end:

“The standards and procedures for the evaluation of achievement referred to in subparagraph 3 of the first paragraph may not have the effect of allowing a student’s result to be reviewed by the principal. However, they must allow the principal to ask the teacher to whose care the student is entrusted to review the result assigned to the student or, if the teacher is absent or unable to act, to entrust the review to another teacher, in accordance with the conditions and procedures determined by regulation of the Minister. The principal must give reasons in writing for his or her request for the grade review.”

*A. J. J. R.*

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Section 133.1

**AMENDMENT:**

Insert after section 133:

**133.1.** Section 457.1 of the Act is amended by adding the following paragraph at the end:

“(4) the conditions and procedures governing the review of a result as provided for in section 96.15 or 110.12.”

*Adante*  
*R*

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Section 35

**AMENDMENT:**

Replace section 35 by:

**35.** Sections 96.17 and 96.18 of the Act are amended

(1) by replacing “following a request, with reasons, made by” by “with the consent of”;

(2) by inserting “, after consulting with the teacher,” after “the principal may”.

Adopt  
R

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Section 4.2

**AMENDMENT:**

Insert after section 4.1:

**4.2.** The Act is amended by inserting the following section after section 22:

**“22.0.1.** Teachers must undergo at least 30 hours of continuing education activities per period of two school years beginning on 1 July of every even-numbered year. They shall choose the continuing education activities that best meet their needs in connection with developing their skill set.

“Continuing education activity” means participating in a structured activity, such as a course, seminar, convention or conference organized by the Minister, a university-level educational institution, a school service centre, an educational institution governed by the Act respecting private education (chapter E-9.1) or, subject to the principal’s approval, another body or instructor.

Such an activity also includes participating in a continuing education activity as an instructor.”

*A. L. L.*  
*RL*

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Section 4.2

**AMENDMENT:**

In section 4.2 as amended:

1. Replace "even-numbered" in the first paragraph by "odd-numbered".
2. Replace "such as" and "or, subject to the principal's approval, another body or instructor" in the second paragraph by "including" and ", another body or a peer, or under section 96.21".
3. Replace the last paragraph by the following paragraph:

Reading specialized literature is also recognized as a continuing education activity as well as participating as an instructor in such an activity."

*Adopted*  
*TR*

AM 13  
s. 133 (456)

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Section 133

**AMENDMENT:**

Withdraw.

Asent  
R



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Section 35.1

**AMENDMENT:**

Insert after section 35:

**35.1.** Section 96.21 of the Act is amended

(1) by replacing “the school board” in the first paragraph by “the school service centre”;

(2) by adding “, and shall ensure that all teachers fulfill their continuing education obligation” at the end of the third paragraph.

*A. J. J. J.*  
*12*

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Section 250.1

**AMENDMENT:**

Insert after section 250:

**250.1.** The Act is amended by inserting the following after section 54.11:

**“DIVISION V.1**

**“PRESCHOOL-, ELEMENTARY- AND SECONDARY-LEVEL TEACHERS**

**“54.12.** Teachers must undergo at least 30 hours of continuing education activities per period of two school years beginning on 1 July of every odd-numbered year. They shall choose the continuing education activities that best meet their needs in connection with developing their skill set.

“Continuing education activity” means participating in a structured activity, including a course, seminar, convention or conference organized by the Minister, a university-level educational institution, a school service centre, an educational institution governed by this Act, another body or a peer.

Reading specialized literature is also recognized as a continuing education activity as well as participating as an instructor in such an activity.

The institution must see to it that teachers fulfill their continuing education obligation.”

*A darte*  
*TR*

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Section 93

**AMENDMENT:**

In proposed section 207.1:

1. Insert “educational” before “success” in the first paragraph.
2. Insert “, fair” after “efficient” in the second paragraph.
3. Insert after the second paragraph:

The school service centre also sees to the promotion and enhancement of public education in its territory, in collaboration with the educational institutions and the parents’ committee, and contributes, to the extent provided for by law, to its region’s social, economic and cultural development.

*Adopté*  
*R*

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Section 93

**AMENDMENT:**

Replace paragraph 2 of the amendment by:

2. Replace “and ensures the effective, efficient and eco-friendly management” in the second paragraph by “and ensures their quality as well as the effective, efficient, fair and environmentally responsible management”.

*ASOTT  
TR*

SAM 2  
AM 16  
s. 93 (207.1)

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Section 93

**AMENDMENT:**

Replace “the educational institutions” in the paragraph proposed by paragraph 3 of the amendment by “its educational institutions”.

*Adapted  
R*

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Section 93

**AMENDMENT:**

Insert after paragraph 2 of the amendment:

- 2.1. Strike out the second sentence of the second paragraph.

*A. J. J. J.*  
*R*

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Section 3.1

**AMENDMENT:**

Add the following section:

**3.1.** Section 11 of the Act is amended by replacing the first paragraph by the following paragraph:

“The school service centre’s board of directors shall dispose of the request within 45 days after receiving it.”

*A. Centre*  
*TR*

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Section 105

**AMENDMENT:**

Insert the following paragraph:

(1.1) by inserting the following sentence at the end of the second paragraph: "The school service centre's annual report must have been made public in accordance with the third paragraph of section 220 at the time of the public notice, which must mention the report.";

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