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# NATIONAL ASSEMBLY

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FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 898

**An Act to amend the Education Act to  
allow parents to enrol their children in  
the school of their choice**

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**Introduction**

**Introduced by  
Mr. Jean-François Roberge  
Member for Chambly**

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**Québec Official Publisher  
2017**

## **EXPLANATORY NOTES**

*This bill amends the Education Act to allow parents and students of full age to choose the school that best reflects their preferences without being subject to the boundaries of school board territories.*

*To that end, the bill strikes out the provision that the right of parents or students of full age to choose a school is limited to the schools located in the territory of the school board that covers the student's place of residence.*

*Furthermore, should the number of applications for enrollment in a school exceed the school's capacity, the enrollment criteria determined by the school board must give precedence to students whose place of residence is nearest to the school premises and to students whose sibling already attends that school.*

*Lastly, the Education Act is also amended to specify that, as concerns the provision of preschool education services and elementary and secondary school instructional services, a person may come under the jurisdiction of a school board without residing in its territory if he or she is provided with its educational services.*

## **LEGISLATION AMENDED BY THIS BILL:**

- Education Act (chapter I-13.3).

## **REGULATION AMENDED BY THIS BILL:**

- Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8).

## **Bill 898**

### **AN ACT TO AMEND THE EDUCATION ACT TO ALLOW PARENTS TO ENROL THEIR CHILDREN IN THE SCHOOL OF THEIR CHOICE**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **EDUCATION ACT**

**1.** Section 4 of the Education Act (chapter I-13.3) is amended by striking out “of the school board whose jurisdiction the student comes under” in the first paragraph.

**2.** Section 204 of the Act is amended by inserting “as well as any person residing in the territory of another school board to which the school board provides services” after “(Revised Statutes of Canada, 1985, chapter Y-1)” in the first paragraph.

**3.** Section 208 of the Act is amended by striking out “in respect of persons committed or placed under custody in its territory” in the second paragraph.

**4.** Section 209 of the Act is amended by replacing the second paragraph by the following paragraph:

“In addition, a school board shall provide the educational services it undertakes to provide under an agreement referred to in section 213 or 214. It shall also provide the services set out in a decision of the Minister pursuant to section 468, to the extent indicated in that decision.”

**5.** Section 213 of the Act is amended by striking out “may, pursuant to an agreement under this section, provide services to persons who do not come under its jurisdiction; it” in the fourth paragraph.

**6.** Section 214 of the Act is amended by striking out the fourth paragraph.

**7.** Section 239 of the Act is amended, in the second paragraph,

(1) by striking out “to students coming under the jurisdiction of the school board and, as far as possible,”;

(2) by inserting “and to students whose sibling attends that school” after “school premises”.

BASIC SCHOOL REGULATION FOR PRESCHOOL, ELEMENTARY  
AND SECONDARY EDUCATION

**8.** Section 9 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) is amended by replacing “under whose jurisdiction that person falls” in the first paragraph by “that provides the services”.

**9.** Section 11 of the Regulation is amended by inserting “who resides in the territory of another school board or” after “admits a student” in the second paragraph.

FINAL PROVISION

**10.** This Act comes into force on (*insert the date of assent to this Act*).