



NATIONAL ASSEMBLY

FIRST SESSION

FORTY-FIRST LEGISLATURE

Bill 1093

**An Act to amend the Education Act to
limit and regulate financial contributions
required of parents**

Introduction

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

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EXPLANATORY NOTES

This bill amends the Education Act to ensure application of the principle of free education by limiting the financial contributions that may be claimed from students or their parents.

The bill explicitly prohibits charging administrative fees for educational services that are to be provided free of charge and provides that, for services that are not free, parents can be required to pay only the real costs.

The bill also provides for the Government to set a maximum financial contribution that may be claimed from students or their parents for school transportation and childcare provided at school.

The bill provides that students or their parents may contest the fees claimed from them if they consider that the fees fail to comply with the principle of free education.

Lastly, the bill stipulates that, at the request of a group of parents, the governing board must form a childcare parents' committee.

LEGISLATION AMENDED BY THIS BILL:

- Education Act (chapter I-13.3).

REGULATION AMENDED BY THIS BILL:

- Regulation respecting childcare services provided at school (chapter I-13.3, r. 11).

Bill 1093

AN ACT TO AMEND THE EDUCATION ACT TO LIMIT AND REGULATE FINANCIAL CONTRIBUTIONS REQUIRED OF PARENTS

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. The purpose of this Act is to ensure application of the principle of free education by limiting the financial contributions claimed from students or their parents under the Education Act (chapter I-13.3).

To that end, the Act provides for measures which restrict the nature and amount of fees that may be required for educational services, childcare and transportation services.

EDUCATION ACT

2. The Education Act (chapter I-13.3) is amended by inserting the following sections after section 3.1, enacted by section 1 of the Act to amend the Education Act and other legislative provisions concerning mainly free educational services and compulsory school attendance (2017, chapter 23):

“3.2. No administrative fee, for admission, registration, opening a file or anything else, may be required or received, directly or indirectly, for educational services to which the student is entitled free of charge, subject to the conditions provided for in section 3.

“3.3. The school board may require students or their parents to pay only the amount corresponding to the real costs the school board incurs to offer a service that is not free under this Act.

“3.4. Students or their parents who consider that the fees claimed from them fail to comply with the principle of free educational services or with section 3.2 may register a complaint with the school board. The school board must examine the complaint according to the procedure established by by-law under section 220.2.”

3. Section 256 of the Act is amended by adding the following paragraphs at the end:

“When childcare is so provided, at the request of a group of parents, the governing board shall form a childcare parents’ committee composed of the childcare provider and three to five parents elected by and from among the parents of students attending childcare.

The committee may make any representation or recommendation to the principal, governing board or school board on all aspects of the life of students in childcare, in particular the amount of the financial contribution claimed and the governing board’s obligation to inform the community served by the school of the services it offers and to give an account of their quality.”

4. Section 258 of the Act is amended by adding the following paragraph at the end:

“However, the financial contribution required must comply with the conditions established by government regulation under section 454.1.”

5. The Act is amended by inserting the following section after section 292:

“292.1. The cost or portion of the cost of the transportation pass that the school board may claim under section 292 may not exceed the amount established by government regulation.”

6. Section 293 of the Act is amended by replacing the first paragraph by the following paragraph:

“Sections 292 and 292.1 do not apply to the transportation of persons enrolled in adult education.”

7. Section 298 of the Act is amended, in the first paragraph,

(1) by replacing “may” by “must”;

(2) by striking out “, and determine the fare in requires for such transportation”.

8. Section 453 of the Act is amended by replacing the introductory clause in the first paragraph by the following:

“453. The Government shall, by regulation, determine the maximum amount of the financial contribution that may be claimed for student transportation under section 292.

In addition, the Government may regulate student transportation, namely,”.

9. Section 454.1 of the Act is amended by replacing the first paragraph by the following paragraphs:

“The Government shall, by regulation, determine the maximum amount of the financial contribution that may be claimed for childcare provided at school under section 258.

In addition, the Government may, by regulation, prescribe standards for the provision of childcare at school.”

REGULATION RESPECTING CHILDCARE SERVICES PROVIDED AT SCHOOL

10. Section 18 of the Regulation respecting childcare services provided at school (chapter I-13.3, r. 11) is repealed.

FINAL PROVISION

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

