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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-SECOND LEGISLATURE

Bill 5

**An Act to amend the Education Act  
and other provisions regarding  
preschool education services for  
students 4 years of age**

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**Introduction**

**Introduced by  
Mr. Jean-François Roberge  
Minister of Education and Higher Education**

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## **EXPLANATORY NOTES**

*This bill amends mainly the Education Act and the Act respecting private education in connection with the provision of preschool education services.*

*First, the Minister of Education and Higher Education is empowered to provide for school boards to organize, starting from the school year 2020–2021, preschool educational services for students having reached 4 years of age, regardless of the economic area that they live in.*

*Furthermore, starting from the school year determined by the Government, all children having reached 4 years of age will be entitled to preschool education services, thereby requiring those services to be offered by all school boards according to the general framework provided for in the Education Act.*

*The Act respecting private education is also amended so that private educational institutions can, starting from the school year 2020–2021, provide preschool education services to children having reached 4 years of age.*

*Lastly, the bill also includes consequential amendments.*

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

- Act respecting private education (chapter E-9.1);
- Education Act (chapter I-13.3).

## **REGULATIONS AMENDED BY THIS BILL:**

- Regulation respecting exceptional cases for admission to preschool and elementary school education (chapter I-13.3, r. 1);
- Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8).

## **Bill 5**

### **AN ACT TO AMEND THE EDUCATION ACT AND OTHER PROVISIONS REGARDING PRESCHOOL EDUCATION SERVICES FOR STUDENTS 4 YEARS OF AGE**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

#### **EDUCATION ACT**

- 1.** Section 1 of the Education Act (chapter I-13.3) is amended by replacing “5 years” in the third paragraph by “4 years”.
- 2.** Section 37.2 of the Act is repealed.
- 3.** Section 224.1 of the Act is amended by striking out the second paragraph.
- 4.** Section 241.1 of the Act is amended by striking out “to preschool education for the school year in which he attains 5 years of age, or admit him” in subparagraph 1 of the first paragraph.
- 5.** Section 447 of the Act is amended by replacing “five years” in subparagraph 6 of the third paragraph by “4 years”.
- 6.** Section 461.1 of the Act is amended
  - (1) in the first paragraph,
    - (a) by replacing “permit” and “age of four” by “provide for” and “age of 4”, respectively;
    - (b) by striking out “from underprivileged backgrounds”;
  - (2) by replacing “define the expression “from underprivileged backgrounds” in those conditions and procedures and” in the second paragraph by “, in those conditions and procedures,”;
  - (3) by striking out the fifth paragraph.
- 7.** Section 472 of the Act is amended, in the second paragraph,
  - (1) by replacing “, to a school board authorized, for the purpose of subsidies” by “to a school board which is authorized, for the purpose of subsidies,”;

(2) by replacing “sections 461.1 and 468” by “section 468”.

#### ACT RESPECTING PRIVATE EDUCATION

**8.** Section 24 of the Act respecting private education (chapter E-9.1) is amended by replacing “5 years” by “4 years”.

**9.** Section 26 of the Act is amended by striking out “to preschool education for the school year in which he reaches 5 years of age, or” in paragraph 1.

#### REGULATION RESPECTING EXCEPTIONAL CASES FOR ADMISSION TO PRESCHOOL AND ELEMENTARY SCHOOL EDUCATION

**10.** The title of the Regulation respecting exceptional cases for admission to preschool and elementary school education (chapter I-13.3, r. 1) is amended by striking out “preschool and”.

**11.** Section 1 of the Regulation is amended

(1) by striking out paragraph 1;

(2) by striking out “preschool or” in paragraph 7.

#### BASIC SCHOOL REGULATION FOR PRESCHOOL, ELEMENTARY AND SECONDARY EDUCATION

**12.** Section 12 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) is amended

(1) by replacing “age of 5” in the first paragraph by “age of 4”;

(2) by striking out the second and third paragraphs.

**13.** Section 16 of the regulation is amended by striking out the second paragraph.

**14.** Section 17 of the regulation is amended by striking out the third paragraph.

**15.** Schedule I to the regulation is repealed.

#### TRANSITIONAL AND FINAL PROVISIONS

**16.** Sections 224.1 and 461.1 of the Education Act (chapter I-13.3), as amended by sections 3 and 6, are repealed on the date determined by the Government for the coming into force of section 1.

**17.** Until the date determined by the Government for the coming into force of section 12 and for the purposes of the Act respecting private education (chapter E-9.1), section 12 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) is to be read as if “age of 5” in the first paragraph were replaced by “age of 4”.

**18.** This Act comes into force on the date to be determined by the Government, except sections 3 and 6, paragraph 1 of section 7, and sections 8, 9, 16 and 17, which come into force on (*insert the date of assent to this Act*).

However, despite the coming into force of sections 3 and 6, sections 224.1 and 461.1 of the Education Act, as they read before being amended, continue to apply for the purposes of the school years 2018–2019 and 2019–2020.





