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# NATIONAL ASSEMBLY OF QUÉBEC

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FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 394

**An Act respecting the implementation  
of study-family-work balance policies  
in particular in higher education  
institutions**

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**Introduction**

**Introduced by  
Mr. Alexandre Leduc  
Member for Hochelaga-Maisonneuve**

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## **EXPLANATORY NOTES**

*This bill provides that certain higher education institutions must adopt a study-family-work balance policy within six months following this bill's coming into force to facilitate the academic success of their students who have parental responsibilities or caregiving obligations. The bill specifies the procedure for developing, disseminating and reviewing the policy and requires institutions to report on its application in accordance with stated parameters.*

*The bill defines study-family-work balance and identifies the educational institutions to which it applies.*

*The bill also determines the elements the policy must set out or provide for, such as creating student status categories—including those of parent-student, caregiver-student, student deemed to be enrolled and student deemed to be enrolled full-time—, implementing accommodation and awareness-raising measures and offering student reception, assistance, referral and support services related to study-family-work balance.*

*The bill further provides that the study-family-work balance-related services available in an educational institution must be grouped together and that institutions may enter into agreements with external resources to offer services.*

*Lastly, the bill grants the Minister the power to impose oversight and monitoring measures and, if an educational institution fails to comply with one of the bill's provisions, to cause the institution's obligations to be performed by a third person, at the institution's expense.*

# Bill 394

## **AN ACT RESPECTING THE IMPLEMENTATION OF STUDY-FAMILY-WORK BALANCE POLICIES IN PARTICULAR IN HIGHER EDUCATION INSTITUTIONS**

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

### **CHAPTER I**

#### **GENERAL PROVISIONS**

**1.** The purpose of this Act is to strengthen actions that promote study-family-work balance for students who have parental responsibilities or caregiving obligations. To that end, the Act provides, in particular, that the educational institutions targeted must implement awareness-raising, accountability, support and individual accommodation measures.

In this Act, the concept of study-family-work balance refers to seeking a balance between the responsibilities and demands of family life and those linked to academic success, to which may be added work-related requirements. The concept refers to persons with whom a relationship of dependence is created.

**2.** This Act applies to the following educational institutions:

(1) university-level educational institutions referred to in paragraphs 1 to 12 of section 1 of the Act respecting educational institutions at the university level (chapter E-14.1);

(2) colleges and regional colleges established by the General and Vocational Colleges Act (chapter C-29);

(3) educational institutions holding a permit for college-level educational services issued under the Act respecting private education (chapter E-9.1);

(4) vocational training centres or adult education centres referred to in section 97 of the Education Act (chapter I-13.3);

(5) private educational institutions referred to in paragraphs 4 and 5 of section 1 of the Act respecting private education;

(6) the Institut de tourisme et d'hôtellerie du Québec established by the Act respecting the Institut de tourisme et d'hôtellerie du Québec (chapter I-13.02);

(7) the Institut de technologie agroalimentaire du Québec established by the Act respecting the Institut de technologie agroalimentaire du Québec (chapter I-13.012);

(8) the Conservatoire de musique et d'art dramatique du Québec established by the Act respecting the Conservatoire de musique et d'art dramatique du Québec (chapter C-62.1);

(9) the École nationale de police du Québec established by the Police Act (chapter P-13.1); and

(10) the École du Barreau established under the Act respecting the Barreau du Québec (chapter B-1).

In addition, this Act applies to any other educational institution designated by the Minister.

## **CHAPTER II**

### **POLICY**

**3.** Each educational institution must establish a study-family-work balance policy whose main objective is to facilitate the academic success of students who are parents or caregivers, as defined in the policy.

The policy must be separate from the institution's other policies. In addition to any elements the Minister may prescribe, it must set out or provide for the following:

(1) the roles and responsibilities of officers, personnel members, student association representatives and students with regard to study-family-work balance;

(2) the creation of different student status categories, including those of parent-student, caregiver-student, student deemed to be enrolled and student deemed to be enrolled full-time, as well as the criteria for availing oneself of such status;

(3) the possibility for interns and articling students to benefit from the advantages set out in the policy;

(4) the implementation of clear, simple accommodation measures by the educational institution to facilitate study-family-work balance, such as the possibility for a parent-student to take certain types of leave without it affecting the student's academic progress, and the possibility for a caregiver-student to postpone sitting for an examination in certain circumstances;

(5) the establishment of leave that is at least equivalent to that provided for by the Act respecting labour standards (chapter N-1.1) for the birth or adoption of a child;

(6) the establishment of measures to facilitate the development of adapted childcare services;

(7) the establishment of awareness-raising measures or training activities for students, officers, personnel members, representatives of their respective associations and unions, and student association representatives; and

(8) student reception, assistance, referral and support services with regard to study-family-work balance, specifically any childcare services the educational institution offers, if applicable.

**4.** The educational institution must group all study-family-work balance-related services and resources together in a known, readily accessible location.

The educational institution must also ensure that information about the resources and services, such as childcare, available near the institution is made available in that location.

**5.** The educational institution may enter into agreements with other educational institutions or with external resources to offer the services set out in the policy.

**6.** The educational institution must establish a standing committee made up of students, officers and personnel members, among others, to develop and review the policy and ensure the related follow-up. The committee must be composed of an equal number of men and women and, if applicable, include persons directly concerned by the policy or their representatives.

In addition, the standing committee must implement a process to ensure that students who are parents or caregivers, and the associations representing them, if applicable, are meaningfully consulted and taken into consideration during the policy development and review process.

**7.** The educational institution's board of governors or equivalent board must adopt the policy and any amendments to it. If the educational institution does not have such a board, those responsibilities fall to the institution's most senior officer.

**8.** The educational institution must ensure that its policy is readily accessible and brought to the attention of each student at the time of the student's admission.

**9.** The educational institution must review its policy at least once every five years.

### CHAPTER III

#### ACCOUNTABILITY

**10.** The educational institution must report on the application of its policy in its annual report or in any other document determined by the Minister. The policy application report must set out, using the methodology determined by the Minister,

(1) the number of students who have parent-student, caregiver-student, student deemed to be enrolled or student deemed to be enrolled full-time status;

(2) the accommodation measures that were established or that students used, if applicable;

(3) the awareness-raising measures implemented and training activities that took place;

(4) the consultation process used in developing or amending the policy; and

(5) any other element determined by the Minister.

**11.** The Minister may require that the educational institution provide any additional information the Minister considers necessary about its policy and may prescribe any other accountability measure.

**12.** The Minister must, not later than (*insert the date that is two years after the date of assent to this Act*), and every five years thereafter, report to the Government on the implementation of this Act.

The report is tabled in the National Assembly within the next 30 days or, if the Assembly is not sitting, within 30 days of resumption.

### CHAPTER IV

#### OVERSIGHT AND MONITORING MEASURES

**13.** The Minister must publish, on the department's website or on any other medium the Minister determines, a list of the educational institutions that have adopted a policy.

**14.** The Minister may impose oversight and monitoring measures on any educational institution that fails to comply with any of its obligations under this Act.

**15.** If an educational institution fails to comply with its obligations under this Act, the Minister may, at the institution's expense, cause those obligations to be performed by a person the Minister designates.

The educational institution must collaborate with the person designated by the Minister.

A policy developed or amended pursuant to the first paragraph is deemed adopted in accordance with section 7 on the date determined by the Minister.

## **CHAPTER V**

### **MISCELLANEOUS AND FINAL PROVISIONS**

**16.** Each educational institution must adopt its policy before (*insert the date that is six months after the date of assent to this Act*) and implement it not later than (*insert the date that is 12 months after the date of assent to this Act*).

**17.** The Government designates the Minister responsible for the administration of this Act.

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

