



---

# NATIONAL ASSEMBLY OF QUÉBEC

---

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 895

**An Act to establish a common school  
network to guarantee equal  
opportunities**

---

**Introduction**

**Introduced by  
Madam Ruba Ghazal  
Member for Mercier**

---

**Québec Official Publisher  
2025**

## **EXPLANATORY NOTES**

*The purpose of this bill is to ensure that the Québec school system provides students with equal opportunities, regardless of their socio-economic background.*

*The bill creates a common school network to make Québec's education system more equitable.*

*To that end, the bill amends the Education Act and the Act respecting private education to*

*(1) group pre-school-, elementary-, and secondary-level public schools within a common school network together with the private schools of those levels that wish to join the network;*

*(2) end the public funding of pre-school, elementary, and secondary-level private schools that choose not to join the common network;*

*(3) prohibit all student selection processes in the common network;*

*(4) set out the same conditions for receiving education free of charge and for funding for all schools in the network; and*

*(5) set out compensatory measures to reduce inequalities between schools.*

*Lastly, the bill contains miscellaneous, transitional and final provisions.*

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

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

## **Bill 895**

### **AN ACT TO ESTABLISH A COMMON SCHOOL NETWORK TO GUARANTEE EQUAL OPPORTUNITIES**

AS selection and competition practices between schools may exacerbate inequalities;

AS the creation of a common school network, comprising public schools and schools under agreement, guarantees that all have equal learning and development opportunities, in accordance with the principle of equal opportunity;

AS it is important to ensure that all have free, universal access to their local school in the common network;

AS the geographical proximity between a school and a student's home facilitates daily travel, encourages active mobility and fosters a better balance between family life and school life;

AS local school attendance by all reinforces the sense of belonging to the local community and fosters social cohesion;

AS it is necessary to establish equitable school maps to reduce disparities between schools;

AS socio-economic mixing in school fosters learning how to live together, mutual understanding, respect for differences and mutual assistance, as well as a sense of belonging fully to Québec culture;

AS UNESCO recommends that governments see all educational institutions, students and teachers as part of a single system;

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

EDUCATION ACT

**1.** The Education Act (chapter I-13.3) is amended by adding the following chapter before Chapter I:

**“CHAPTER 0.1**

**“COMMON SCHOOL NETWORK**

**“DIVISION I**

**“GENERAL PROVISIONS**

**“0.1.** The common school network comprises pre-school-, primary- and secondary-level public and schools under agreement.

For the purposes of this Act, “school under agreement” or “institution under agreement” means a school that has entered into an agreement with the Minister pursuant to section 94.1 of the Act respecting private education (chapter E-9.1).

**“0.2.** The schools in the common school network are mixed, lay schools.

**“0.3.** No selective student admission procedures may be employed by schools in the common school network.

**“0.4.** The schools in the common school network may not collect tuition fees or any fee other than those authorized by law.

**“0.5.** Each secondary school in the common school network shall offer a choice of special school projects. Special school projects shall be open to all, and admission to them shall be without regard for academic or disciplinary records and free of charge.

**“DIVISION II**

**“SCHOOL MAPS**

**“0.6.** The territory of each school service centre and each school board is divided into catchment areas. “Catchment area” means the territory served by a school.

**“0.7.** Each school in a school service centre or school board is assigned an exclusive territory so that each address is associated with one school, or two connected schools, for the pre-school, elementary, and secondary levels. The Government determines, by regulation, the cases and conditions in which two schools that are close to each other may be connected to serve the same catchment area.

Despite the first paragraph, specialized schools for handicapped students and students with social maladjustments or learning disabilities may serve a larger area to meet specific needs. Admission criteria may regulate access to these schools.

**“0.8.** School maps are established by the Minister of Education, Recreation and Sports.

The Minister must foster the creation of school catchment areas that are as similar to each other as possible from a socio-economic point of view, while optimizing proximity between schools and students’ homes, and also school capacity. At the pre-school and elementary levels, the Minister must give priority to minimizing the distance students must travel and maximizing the safety of travel.

A regulation of the Minister prescribes all the elements to be taken into account when establishing school maps, as well as the exceptional situations in which the enrollment of a student in a school outside the student’s catchment area may be authorized.

School maps shall be reviewed at least once per year. They shall also be reviewed, if warranted by the circumstances, upon request from a school service centre or a school board.

### **“DIVISION III**

#### **“COMPENSATORY MEASURES TO REDUCE INEQUALITIES**

**“0.9.** Compensatory measures must be implemented to mitigate the impact of disadvantage when, despite the efforts made to encourage the creation of catchment areas as similar to each other as possible from a socio-economic point of view, a school catchment area has significant disparities when compared with other catchment areas in the territory of a school service centre or a school board.

In a case where a school catchment area has no significant disparities when compared with other catchment areas in the territory, but has significant disparities relative to Québec as a whole, compensatory measures must also be implemented.”

**2.** Section 1 of the Act is amended by inserting “the common school network or” after “offered by” in the second paragraph.

**3.** Section 3 of the Act is amended

(1) by inserting “, including those provided within the scope of special school projects,” after “by this Act” in the first paragraph;

(2) by replacing “to services provided within the scope of special school projects determined by regulation of the Minister or to school activities determined by such regulation” in the fourth paragraph by “to school activities determined by regulation of the Minister”;

(3) by striking out the fifth paragraph.

**4.** Section 4 of the Act is repealed.

**5.** Section 15 of the Act is amended

(1) by replacing “public school” in the second and third paragraphs by “a school in the common school network”;

(2) by replacing “one of its students” in the fourth paragraph by “a student in the common school network”.

**6.** Section 18.1 of the Act is amended by replacing “and school service centre personnel” by “, school service centre personnel and personnel of the school under agreement the student attends” in the first paragraph.

**7.** Section 18.2 of the Act is amended by inserting “or the school under agreement the student attends” after “school service centre” in the second paragraph.

**8.** Section 29 of the Act is amended by inserting “or the school under agreement” after “school service centre” in the first paragraph.

**9.** Section 33 of the Act is amended by inserting “or the school under agreement” after “school service centre” in the second paragraph.

**10.** The heading of Chapter III of the Act is replaced by the following heading:

“PUBLIC SCHOOLS”.

**11.** Section 143.1 of the Act is amended by inserting the following paragraph at the end:

“For the purposes of this chapter, unless the context indicates otherwise, the terms “school” and “institution” mean a public school or a public institution.”

**12.** Section 193 of the Act is amended

(1) in the first paragraph,

(a) by striking out subparagraph 6;

(b) by striking out “and the criteria for the enrollment of students in that school” in subparagraph 6.1;

(2) by striking out “, 6” in the second paragraph.

**13.** Sections 208 and 209 of the Act are replaced by the following section:

**“208.** Unless a special exemption is granted by the Minister, a school service centre shall ensure that the persons who come under its jurisdiction are provided the educational services to which they are entitled under this Act, notably within the common school network.

To that end, the school service centre shall

(1) admit persons who come under its jurisdiction to educational services;

(2) supervise the enrollment of students in its catchment area to ensure compliance with the school maps of the common school network;

(3) organize educational services, except for those provided by schools under agreement, or delegate the organization of educational services to a third party, in accordance with this Act, in case of a lack of resources or at the request of parents;

(4) refer persons to another school service centre for vocational education programs or adult education services for which it receives no subsidies.

The Minister may, by regulation, specify how the school service centre shall carry out these functions.”

**14.** Section 211 of the Act is amended by adding the following sentence at the end of the first paragraph: “The plan also contains information on schools under agreement.”

**15.** Section 216 of the Act is amended by inserting “in the common school network” after “student” in the first paragraph.

**16.** Section 239 of the Act is repealed.

**17.** Section 240 of the Act is amended by striking out the second paragraph.

**18.** Section 242 of the Act is amended by replacing the first paragraph by the following paragraph:

“A school service centre may, at the request of the principal of a school in the common school network and for just and sufficient cause, and after giving the student and the student’s parents an opportunity to be heard, enrol the student in another school in the common school network or expel the student from the network; in the latter case, it shall inform the director of youth protection.”

## ACT RESPECTING PRIVATE EDUCATION

**19.** Section 12 of the Act respecting private education (chapter E-9.1) is amended by inserting “an institution under agreement or” after “in the case of” in subparagraph 5 of the first paragraph.

**20.** Section 62 of the Act is amended by replacing the second paragraph by the following paragraphs:

“The institution may also, with the authorization of the Minister, organize independently all or part of the transportation of the students referred to in the first paragraph and enter into an agreement for that purpose. Sections 297 and 298 of the Education Act and the regulations made under section 453 of that Act apply, with the necessary modifications, to an institution that organizes transportation independently for its students.

The transportation of students organized by an institution under agreement is subject to the same conditions concerning free transportation as those applying to school service centres, in accordance with sections 292 and 293 of the Education Act. The other private institutions may claim the cost from those using the service after deducting the subsidies granted for that purpose, if any.”

**21.** Section 66 of the Act is amended by inserting “, other than an institution under agreement referred to in Chapter V.1,” after “private educational institution” in the first paragraph.

**22.** Section 77 of the Act is amended by striking out “1 to”.

**23.** Section 84 of the Act is amended by striking out “1 to” in the second paragraph.

**24.** Section 86 of the Act is amended by replacing “paragraphs 2 to 4” in the second paragraph by “paragraph 4”.

**25.** The Act is amended by inserting the following chapter after section 94:

### “CHAPTER V.1

#### “INSTITUTIONS UNDER AGREEMENT

“**94.1.** The Minister shall enter into an agreement with all non-profit institutions dispensing educational services belonging to the categories referred to in paragraphs 1 to 3 of section 1 who wish to join the common school network.

Despite the first paragraph, only the private institutions that existed on (*insert the date of assent to this Act*) may enter into such an agreement.

**“94.2.** The Minister determines, with the approval of the Conseil du trésor, the terms and conditions relating to the funding of institutions under agreement. The terms and conditions are applicable, subject to exceptions determined by the Minister, to all agreements entered into under section 94.1.

To promote equity between all students in the common school network, the methods of calculating financing must be identical to those of public institutions.

**“94.3.** The fiscal year of an institution under agreement shall end on 30 June each year.

**“94.4.** For each fiscal year, the institution under agreement shall appoint an independent auditor who shall produce a report of the audit of the financial operations of the institution and its foundation.

The Minister may specify the terms of reference applicable to all the independent auditors of institutions under agreement.

**“94.5.** An institution under agreement shall send the following to the Minister annually:

- (1) its financial statements, including, if applicable, those of its foundation;
- (2) the report of the independent auditor prescribed by section 94.4;
- (3) an annual report, the form and content of which is determined by the Minister.

**“94.6.** The annual financial statements of institutions under agreement shall be made available on the website of the Ministère de l’Éducation, du Loisir et du Sport.

**“94.7.** The Minister may subject institutions under agreement to any directive applicable to public institutions in the cases and on the conditions he determines.”

**26.** Section 111 of the Act is amended by inserting “an institution under agreement or” before “an accredited” in paragraph 4.

**27.** Section 112 of the Act is amended by adding the following paragraphs at the end:

“(8) determine the cases in which a child may, upon the opinion of the director of youth protection, attend, for free, a private educational institution not under agreement, and the rules for determining the allocation of a subsidy to the institution;

“(9) establish the terms and conditions for schools under agreement to join the common school network;

“(10) specify the financial and administrative obligations of institutions under agreement, particularly with respect to financial reports, external auditing and transparency; and

“(11) subject schools under agreement to the application of the provisions of the Education Act (chapter I-13.3) or its regulations, or exempt them from the application of the provisions of this Act or its regulations, in the cases and on the conditions the Minister determines.”

**28.** The Act is amended by inserting the following sections after section 118.1, enacted by section 37 of chapter 9 of the statutes of 2024:

“**118.2.** The oversight measures provided for in this chapter shall apply, with the necessary modifications, to schools under agreement to ensure compliance with this Act and the relevant provisions of the Education Act (chapter I-13.3) and the regulatory instruments.

“**118.3.** The Minister may, during or after a verification or investigation, order some or all of the powers and functions of an institution under agreement to be suspended for a period not exceeding six months and appoint a provisional administrator to exercise those powers and functions in the place and stead of the director of the institution or of its board of directors, as the case may be.

The provisional administrator may, subject to the rights of third persons in good faith, cancel any decision made by the institution under agreement under the powers that have been suspended.

The provisional administrator may not be prosecuted for acts performed in good faith in the exercise of the functions of provisional administrator.

The provisional administrator shall, before the date set for the expiration of his term of office and of any extension, submit to the Minister, within the time limit determined by the Minister, a report of his findings, together with his recommendations. The report must contain any information required by the Minister.

After examining the provisional administrator’s report, the Minister may extend the period provided for in the first paragraph for one or more periods not exceeding 120 days.”

## MISCELLANEOUS AND TRANSITIONAL PROVISIONS

**29.** The first school year of the common school network is the school year beginning on July 1 preceding the second back-to-school period after (*insert the date of assent to this Act*).

All private institutions must, not later than (*insert the date that is six months after the date of assent to this Act*), inform the Minister whether or not they intend to join the common school network.

After that date, for institutions that do not initially choose to join the common school network but decide to do so at a later date, the Minister sets, on a case-by-case basis, the date upon which the joining of the common school network by an institution newly under agreement is in force.

**30.** Despite the new legislation, a student may continue to attend a public institution or an institution newly under agreement that they were attending before the first school year of the common school network, and may continue to attend it until the end of their current educational level, whether that level be pre-school, primary school or secondary school. A student may also be enrolled in an institution outside the student's catchment area if their sibling is currently enrolled in that institution and doing so allows the siblings to attend the same institution. The student may remain in that institution as long as their sibling attends the institution, and, following that, until the end of their educational level.

**31.** From the first year of the joining of the common school network by an institution newly under agreement:

(1) all students attending the institution shall benefit from the same conditions of free access to education as those applying in the public institutions of the network;

(2) the school service centre is responsible for the admission of new students.

**32.** The institutions accredited for purposes of subsidies that dispense educational services belonging to a category referred to in paragraphs 1 to 3 of section 1 of the Act respecting private education (chapter E-9.1) and that choose not to join the common school network gradually lose their subsidies, in accordance with the following:

(1) from the first school year of the network, no subsidy is granted for a newly enrolled student, except if a sibling of that student is already attending the institution;

(2) the subsidies are maintained for students who are already attending the institution until the end of their current educational level, including pre-school, primary school and secondary school.

**33.** Despite the new legislation, an accreditation granted to an institution referred to in section 32 of this Act remains valid and may be amended or renewed for as long as the institution has the right to subsidies in compliance with the transitional scheme provided for by this Act.

**34.** The Government may, by a regulation made before (*insert the date that is three years after the date of coming into force of this Act*), enact any other transitional provision to remedy any omission for the purpose of ensuring the application of this Act.

A regulation made under this section is not subject to the publication requirements set out in section 8 of the Regulations Act (chapter R-18.1). Despite section 17 of that Act, such a regulation comes into force on the date of its publication in the *Gazette officielle du Québec*, or on any later date set in the regulation.

**35.** Unless the context indicates otherwise and with the necessary modifications, in any other Act and in any regulation, “institution accredited for purposes of subsidies” or any equivalent expression is replaced by “institution under agreement or institution accredited for purposes of subsidies” or an equivalent expression.

#### FINAL PROVISIONS

**36.** The Minister must, not later than (*insert the date that is seven years after the date of coming into force of this Act*), report to the Government on the implementation of this Act.

The report is tabled in the National Assembly within 30 days after it is submitted to the Government or, if the Assembly is not sitting, within 30 days of resumption.

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