



NATIONAL ASSEMBLY OF QUÉBEC

FIRST SESSION

FORTY-THIRD LEGISLATURE

Bill 94

**An Act to, in particular, reinforce
laicity in the education network and
to amend various legislative
provisions**

Introduction

**Introduced by
Mr. Bernard Drainville
Minister of Education**

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EXPLANATORY NOTES

The main purpose of this bill is to reinforce laicity in the education network. For that purpose, it makes various amendments to the Education Act and the Act respecting private education.

The bill specifies that the public school system is founded on democratic values and Québec values, including the equality of women and men, as well as on State laicity, and entrusts to various resources the obligation to ensure compliance with those values and with State laicity within the school network.

The bill sets out the obligation for students to have their face uncovered when they are on the premises placed at the disposal of a school, a vocational training centre or adult education centre or a private educational institution. It also prescribes such an obligation for homeschooled children and their parents when any service is being provided to them by a school service centre. In addition, the bill imposes the obligation to have one's face uncovered on any person required to provide services to students, when the person is providing those services, as well as on any person required to be in contact with students who is on the premises placed at the disposal of a school or a vocational training centre or adult education centre. Lastly, it imposes that obligation on the personnel members of educational institutions not accredited for the purposes of subsidies.

The bill also introduces the obligation for students to act in a manner respectful of the equality of women and men and to have conduct that is free of all forms of bullying and violence, in particular those motivated by racism or homophobia or targeting sexual orientation, sexual or gender identity, a handicap or a physical characteristic. To that end, the bill establishes that the rules of conduct, which schools and private educational institutions must adopt, are to prescribe those obligations, among other things. The bill sets out the obligation for vocational training centres and adult education centres to adopt such rules of conduct.

The bill extends the prohibition on wearing a religious symbol to members of a school service centre's personnel as well as persons who provide services in accordance with a contract other than a contract of employment in certain circumstances. However, it provides that the prohibition does not apply to personnel members exercising

a function at the time the bill is introduced or to persons who have a contract in effect at the time this Act is assented to.

The bill specifies the framework applicable to requests for accommodation on religious grounds by staff members of a school when the requests involve an absence from work and prohibits the granting of accommodations, derogations or other adaptations in certain circumstances, including with regard to compulsory school attendance.

The bill also requires that the conduct of persons required to provide services to students, as well as that of members of school governing boards and members of the boards of directors of school service centres, must be free of religious considerations. It also requires that the remarks, behaviours and decisions of school service centre personnel members and of any person required to provide services be guided by State laicity. It introduces the obligation for school service centres to adopt a code of ethics and professional conduct applicable to the members of the governing boards of schools and centres. Furthermore, it prohibits the use of premises and immovables placed at a school's or centre's disposal for religious practices.

The bill establishes that no one, being motivated by a religious conviction or belief, may influence or attempt to influence the exercise of a power or function or the performance of a duty or obligation provided for by the Education Act.

With respect to the quality of educational services, the bill introduces the obligation for teachers to submit instructional planning to the principal of the institution and the obligation for the principal to evaluate teachers each year. In addition, the bill establishes an educational services quality committee, whose functions include assisting the director general and principals of an institution in the exercise of their respective responsibilities to ensure quality educational services.

The bill grants the Minister the power to establish a calendar applicable to examinations and the power to order a school service centre to comply with the provisions of an Act or regulation under the Minister's administration. It also provides that certain decisions by the Minister, such as the decision to suspend a teacher's teaching licence or the decision to revoke such a licence, are not suspended solely because of a proceeding before the Administrative Tribunal of Québec.

The bill broadens the obligation for the personnel of a French-language school service centre and for persons required to work with students to use French exclusively in oral and written communications with students or other personnel members.

The bill specifies that certain amendments it makes to the Education Act and to the Act respecting private education have effect despite certain provisions of the Charter of human rights and freedoms and of the Constitution Act, 1982.

LEGISLATION AMENDED BY THIS BILL:

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

REGULATION AMENDED BY THIS BILL:

- Regulation respecting the standards of ethics and professional conduct applicable to the members of the board of directors of a French-language school service centre (chapter I-13.3, r. 7.02).

Bill 94

AN ACT TO, IN PARTICULAR, REINFORCE LAICITY IN THE EDUCATION NETWORK AND TO AMEND VARIOUS LEGISLATIVE PROVISIONS

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

“PURPOSE

“0.1. The purpose of this Act is to mobilize the entire educational community around student success through an offer of quality educational services and access to a healthy and secure learning environment, conducive to developing students’ full potential and forming citizens who are responsible and fully engaged in the democratic, social, community, economic and cultural life of the Québec State.

To that end, the Act establishes a public school system founded on democratic values and Québec values, including the equality of women and men, and on State laicity, which is based on

- (1) the separation of State and religions;
- (2) the religious neutrality of the State;
- (3) the equality of all citizens; and
- (4) freedom of conscience and freedom of religion.

A further purpose of the Act is to promote, in particular in the context of educational services, the quality of French, the only common language of the Québec nation, within the public school system in order to enable adherence and contribution by all to the distinct culture of that nation.”

2. The Act is amended by inserting the following section after section 15:

“16. A homeschooled child and his parents must have their face uncovered when any service is being provided to them by the school service centre, including the services provided on behalf of the school service centre, or by a member of the personnel of the Ministère de l’Éducation, du Loisir et du Sport, unless their face must be covered for health reasons or because of a handicap or of requirements tied to the performance of certain tasks.”

3. Section 18.1 of the Act is amended

(1) by adding the following sentence at the end of the first paragraph: “In addition, they shall act in a manner respectful of the equality of women and men.”;

(2) by replacing “healthy and secure learning environment” in the second paragraph by “learning environment that is healthy and secure and that is free of all forms of bullying and violence, in particular those motivated by racism or homophobia or targeting sexual orientation, sexual or gender identity, a handicap or a physical characteristic”.

4. The Act is amended by inserting the following section after section 18.2:

“18.3. Students shall have their face uncovered when they are on the premises, such as a room or an immovable, placed at a school’s or centre’s disposal and when any service is being provided to them by the school service centre, including the services provided on behalf of the school service centre or those provided as part of the carrying out of a special school project, unless their face must be covered for health reasons or because of a handicap or of requirements tied to the performance of certain tasks.”

5. Section 19 of the Act is amended by adding the following paragraph at the end:

“The methods of instruction and the means of evaluating the progress of students, including the material used for instruction and evaluation purposes, must be in conformity with the educational project of the school, the basic school regulations established by the Government, the programs of activities or of studies established by the Minister, the activities or content prescribed in the broad areas of learning and any other applicable instructional framework, and be in keeping with democratic values and Québec values, including the equality of women and men, and with State laicity.”

6. Section 22 of the Act is amended

(1) by inserting the following paragraph after paragraph 6.1:

“(6.2) see to compliance with democratic values and Québec values, including the equality of women and men, and with State laicity;”;

(2) by inserting “, the basic school regulations established by the Government, the programs of activities or of studies established by the Minister, the activities or content prescribed in the broad areas of learning and any other applicable instructional framework” at the end of paragraph 7.

7. The Act is amended by inserting the following section after section 22:

“22.0.0.1. Teachers must submit instructional planning to the principal of the institution, in the form and at the time the latter determines and taking into account the good practices guide established by the Minister in accordance with section 459.5.0.1.”

8. Section 34.7 of the Act is amended by striking out the second paragraph.

9. Section 36 of the Act is amended by inserting “, with democratic values and Québec values, including the equality of women and men, and with State laicity” after “opportunity” in the second paragraph.

10. The Act is amended by inserting the following section after section 40:

“40.1. No premises, such as a room or an immovable, placed at the school’s disposal may be used, in fact and in appearance, for the purposes of religious practices such as overt prayers or other similar practices.”

11. Section 71 of the Act is amended by adding the following sentence at the end: “Their conduct must be free of religious considerations and be guided by democratic values and Québec values, including the equality of women and men, and by State laicity.”

12. The Act is amended by inserting the following section after section 71:

“71.1. The school service centre shall adopt a code of ethics and professional conduct applicable to the members of a school’s governing board. The code must, among other things,

(1) determine the duties and obligations of the governing board members as well as those they must comply with after the expiry of their terms and the period of compliance regarding that obligation;

(2) establish prevention measures, in particular rules concerning the disclosure of interests; and

(3) deal with the identification of conflict of interest situations.

The standards may establish rules that vary according to the categories of members.

The standards shall, among other things, state the main values of the school service centre. Those values shall guide the governing board members in understanding the standards applicable to them.

The obligations imposed on members under sections 64, 70 and 71 are deemed to form part of the school service centre's standards of ethics and professional conduct and prevail over any incompatible rule set out in those standards.

“71.2. Any person may communicate information to the school service centre concerning a failure to comply with the standards of ethics and professional conduct applicable to the members of a governing board.

The school service centre must take all necessary measures to protect the identity of persons who have communicated information to it confidentially under the first paragraph.

“71.3. The school service centre may, if of the opinion that information in its possession could demonstrate that a governing board member has failed to comply with the standards of ethics and professional conduct, conduct an investigation to determine whether such a failure to comply has occurred.

The school service centre shall inform the governing board member that the member is under investigation. It shall also inform the Minister.

“71.4. Before closing its investigation, the school service centre shall give the governing board member concerned by the investigation the opportunity to submit observations.

“71.5. The school service centre shall send the Minister its findings relating to the alleged failure to comply, including, where applicable, a recommendation concerning the imposition of a penalty. The school service centre shall also send the reasons for its findings as well as the relevant information it holds relating to the alleged failure to comply.

The Minister may, within 15 days after receiving the findings accompanied by the reasons and information, inform the school service centre of the Minister's decision relating to the failure to comply and, where applicable, to the penalty to be imposed.

The Minister shall send to the school service centre the Minister's decision and the reasons for it.

“71.6. On the expiry of the period specified in the second paragraph of section 71.5 or, where applicable, on receiving the decision referred to in the third paragraph of that section, the school service centre shall send to the principal of the school concerned its findings or the Minister’s decision and the reasons for them.

The principal shall table the findings or the decision at the meeting of the governing board that follows their receipt.

The findings or the decision take effect on the day of their tabling at the meeting of the governing board.

“71.7. A failure by a governing board member to comply with the standards of ethics and professional conduct may entail the imposition by the school service centre of the following penalties:

- (1) a reprimand;
- (2) participation in training on ethics and professional conduct, within the period prescribed by the school service centre;
- (3) remittance to the school service centre, within 30 days after receipt of the findings or the decision, of any gift, hospitality or benefit received or their value, or of any profit made in violation of a standard;
- (4) suspension of the governing board member for a period of up to 90 days;
or
- (5) revocation of the governing board member’s term.

“71.8. Failure by a governing board member to remit to the school service centre, within the period prescribed by paragraph 3 of section 71.7, any gift, hospitality or benefit received or their value, or any profit made in violation of a standard, shall entail the suspension of the member until the member makes the remittance. If the governing board member fails to make the remittance within 90 days after the suspension, the member’s term shall be revoked.”

13. Section 76 of the Act is amended

- (1) by replacing the second paragraph by the following paragraphs:

“The rules of conduct must prescribe, among other things,

- (1) the attitudes and behaviour that are required of students at all times, which exclude all forms of bullying and violence, in particular those motivated by racism or homophobia or targeting sexual orientation, sexual or gender identity, a handicap or a physical characteristic, and ensure compliance with the equality of women and men;

(2) the actions and exchanges that are prohibited at all times, regardless of the means used, including those occurring through social media and during school transportation;

(3) the dress code that students must comply with, including the obligation set out in section 18.3 to have their face uncovered; and

(4) the applicable disciplinary sanctions according to the severity or repetitive nature of the prohibited act.

In addition, the rules of conduct may specify the role of parents in their implementation.

The Minister may, by regulation, specify the elements that must be included in the rules of conduct in accordance with the second paragraph and prescribe other elements that must be included.”;

(2) by adding the following sentence at the end of the third paragraph: “The school’s governing board shall see to it that appropriate means are taken for the parents to have knowledge of the rules of conduct.”;

(3) by adding the following paragraph at the end:

“Every school staff member shall collaborate in implementing the rules of conduct and see to it that every student complies with the obligation to have their face uncovered.”

14. Section 96.12 of the Act is amended by replacing “and of the other provisions governing the school” in the second paragraph by “, of the school’s rules of conduct and of the other provisions governing the school. The principal shall also see to compliance with democratic values and Québec values, including the equality of women and men, and with State laicity within the school”.

15. Section 96.21 of the Act is amended by adding the following paragraphs at the end:

“Lastly, the principal shall ensure that the instructional planning submitted by the teachers is in conformity with the school’s educational project, the basic school regulations established by the Government, the programs of activities or of studies established by the Minister, the activities or content prescribed in the broad areas of learning and any other applicable instructional framework, and that it is in keeping with democratic values and Québec values, including the equality of women and men, and with State laicity.

Each year, the principal shall evaluate the teachers, in particular to measure their contribution to the educational project of the school with a view to supporting the teachers and assisting them in their professional development, taking into account the good practices guide established by the Minister.”

16. The Act is amended by inserting the following section after section 96.21:

“96.21.1. When a request for an accommodation on religious grounds by a school staff member involves an absence from work, the principal shall, in addition to the elements that must be specifically considered in accordance with the Act to foster adherence to State religious neutrality and, in particular, to provide a framework for requests for accommodations on religious grounds in certain bodies (chapter R-26.2.01), ensure that educational services and childcare services are not compromised.

Despite the first paragraph, the employee who makes the request for an accommodation shall not be granted more days of leave than those provided for in the conditions of employment applicable to the employee.”

17. Section 97 of the Act is amended by inserting “and in compliance with democratic values and Québec values, including the equality of women and men, and with State laicity” at the end of the third paragraph.

18. The Act is amended by inserting the following section after section 101:

“101.1. No premises, such as a room or an immovable, placed at the centre’s disposal may be used, in fact and in appearance, for the purposes of religious practices such as overt prayers or other similar practices.”

19. Section 110.4 of the Act is amended

(1) by striking out “75.3,” in the first paragraph;

(2) by replacing “and the second paragraph of section 83.1” in the second paragraph by “, those referred to in section 76 and that referred to in the second paragraph of section 83.1”.

20. Section 110.9 of the Act is amended by replacing “and of the other provisions governing the centre” in the second paragraph by “, of the centre’s rules of conduct and of the other provisions governing the centre. The principal shall also see to compliance with democratic values and Québec values, including the equality of women and men, and with State laicity within the centre”.

21. Section 110.13 of the Act is amended by replacing “96.26” by “96.27”.

22. Section 175.1 of the Act is amended by inserting the following paragraph after the second paragraph:

“The obligations imposed on the members under section 177.1 are deemed to form part of the standards of the code and prevail over any incompatible rule set out in that code.”

23. Section 177.1 of the Act is amended by adding the following sentence at the end: “Their conduct must be free of religious considerations and be guided by democratic values and Québec values, including the equality of women and men, and by State laicity.”

24. The Act is amended by inserting the following subdivision after section 193.9:

“§7.1. — *Educational services quality committee*

“193.10. The school service centre must establish an educational services quality committee.

The committee shall be composed of the following persons:

- (1) one member of the executive staff responsible for educational services, who shall act as chair;
- (2) one member of the executive staff responsible for human resources;
- (3) the person responsible for educational services for handicapped students and students with social maladjustments or learning disabilities appointed under section 265;
- (4) one person who has experience as a school principal and who is not employed by the school service centre; and
- (5) one person who has experience as a teacher and who is not employed by the school service centre.

The members referred to in subparagraphs 4 and 5 are not remunerated. However, they are entitled, on the conditions and to the extent determined by the school service centre, to an attendance allowance and to the reimbursement of reasonable expenses incurred by them in the exercise of their functions.

“193.11. The functions of the educational services quality committee are

- (1) to assist the director general or the principal of an institution, at their request, in the exercise of their respective responsibilities to ensure the quality of educational services;
- (2) to carry out, at the request of the director general, verifications of any matter relating to the quality of educational services within an institution;
- (3) to make recommendations to the director general and, where applicable, propose assistance measures or corrective measures following a verification;
- (4) to promote, among the institutions, good practices with respect to the quality of educational services; and

(5) to give its opinion to the director general on any matter relating to the quality of educational services that the director general submits to it.”

25. Section 207.1 of the Act is amended by adding the following sentence at the end of the first paragraph: “The school service centre carries out its mission in compliance with democratic values and Québec values, including the equality of women and men, and with State laicity.”

26. The Act is amended by inserting the following section after section 212.2:

“212.3. The school service centre must see to it that the rules of conduct of its schools and its centres are in conformity with this Act and, where applicable, with the regulation made by the Minister.”

27. Section 213 of the Act is amended by inserting the following paragraphs after the second paragraph:

“An agreement entered into under the first or second paragraph must be made in writing and, if it is entered into with a body or a person other than a school service centre or than an educational institution governed by the Act respecting private education, must be accompanied by the code of ethics provided for in section 258.0.1 and provide that any person who would be required to work with minor or handicapped students or be in contact with them must undertake to comply with that code.

The agreement must, in addition, provide that any person who would be required to provide the services covered by the agreement to students must ensure the students’ compliance with the obligation to have their face uncovered. The agreement must also provide that the person must have their face uncovered when providing those services to the students, unless their face must be covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks, and undertake to have conduct free of religious considerations.”

28. Section 215 of the Act, amended by section 12 of chapter 9 of the statutes of 2024, is again amended by adding the following paragraph at the end:

“Lastly, the agreement must provide that any person who would be required to provide the services covered by the agreement to students must ensure the students’ compliance with the obligation to have their face uncovered. The agreement must also provide that the person must have their face uncovered when providing those services to the students, unless their face must be covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks, and undertake to have conduct free of religious considerations.”

29. Section 215.1 of the Act is amended by inserting the following paragraphs after the first paragraph:

“Such a contract must be made in writing, be accompanied by the code of ethics provided for in section 258.0.1 and provide that any person who would be required to work with minor or handicapped students or be in contact with them must undertake to comply with the contract.

The contract must also provide that any person who would be required to provide the services covered by the contract to students must ensure the students’ compliance with the obligation to have their face uncovered. The contract must also provide that the person must have their face uncovered when providing those services to the students, unless their face must be covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks, and undertake to have conduct free of religious considerations.”

30. Section 231 of the Act is amended by inserting “according to the calendar established by the Minister” at the end of the first paragraph.

31. Section 258.0.1 of the Act, enacted by section 14 of chapter 9 of the statutes of 2024, is amended by inserting the following paragraph after the first paragraph:

“Furthermore, the code must provide that the remarks, behaviours and decisions of the members of its personnel and of any person required to provide services on behalf of the school service centre or as part of the carrying out of a special school project shall be guided by State laicity, asserted by the Act respecting the laicity of the State (chapter L-0.3), which is based on the separation of State and religions, the religious neutrality of the State, the equality of all citizens, and freedom of conscience and freedom of religion.”

32. The Act is amended by inserting the following sections after section 258.0.2, enacted by section 14 of chapter 9 of the statutes of 2024:

“258.0.3. The school service centre shall ensure that the conduct of the members of its personnel and of any person required to provide services on its behalf or as part of the carrying out of a special school project is free of religious considerations.

“258.0.4. The following are prohibited from wearing a religious symbol within the meaning of section 6 of the Act respecting the laicity of the State (chapter L-0.3):

(1) any member of the school service centre’s personnel, other than a member to whom the Act respecting the laicity of the State applies, who, for the purposes of their employment, is on the premises, such as a room or an immovable, placed at the disposal of a school or centre or is in the presence of a student;

(2) the director general and the assistant director general in the exercise of their functions;

(3) any person who regularly provides services on the premises, such as a room or an immovable, placed at the disposal of a school or centre, when the person is on those premises; and

(4) any person when providing services to students.

Any provision of an agreement or decree within the meaning of the Act respecting labour standards (chapter N-1.1), of a regulation made under section 451 or of any other contract relating to conditions of employment that is incompatible with the prohibition set out in the first paragraph is absolutely null.

Where the prohibition on wearing a religious symbol applies to a person who is not a member of the personnel of a school service centre, that prohibition is deemed to be part of the contract binding the person to the school service centre.

Subparagraphs 3 and 4 of the first paragraph do not apply to the driver where student transportation is provided under a contract with a public transit authority or with the holder of a bus transport permit.

“258.0.5. Any person present on the premises, such as a room or an immovable, placed at the disposal of a school or centre who is required to be in contact with students must have their face uncovered, unless their face must be covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks.”

33. Section 266.1 of the Act is amended by adding the following paragraph at the end:

“In addition, a contract that provides for the total or partial use of premises, such as a room or an immovable, placed at the disposal of a school or centre must be made in writing and provide that any person must have their face uncovered when they are on such premises in connection with the performance of the contract, unless their face must be covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks.”

34. The Act is amended by inserting the following section after section 267:

“268. Any contract of enterprise or for services entered into between a school service centre and a body or person that provides for the carrying out of work or the provision of services on premises, such as a room or an immovable, placed at the disposal of a school or centre must be made in writing and provide that any person who would be required to carry out the work or provide the services covered by the contract must have their face uncovered

when carrying out the work or providing the services, unless their face must be covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks.”

35. Section 297 of the Act, amended by section 20 of chapter 9 of the statutes of 2024, is again amended by inserting the following paragraph after the third paragraph:

“The contract must also provide that drivers must have their face uncovered during the transportation of students, unless their face must be covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks, and undertake to have conduct free of religious considerations.”

36. The Act is amended by inserting the following subdivision after section 301:

“§10. —*Special provisions applicable to a French-language school service centre*

«**301.1.** A member of the personnel of a French-language school service centre must use French exclusively, in addition to their obligations under the Charter of the French language (chapter C-11), where the following conditions are met:

(1) the personnel member is present on the premises, such as a room or an immovable, placed at the disposal of a school or centre for the purposes of their employment; and

(2) the personnel member is communicating orally or in writing with a student or with another personnel member.

This section does not apply where public health or safety also requires the use of another language and does not have the effect of preventing the use of an Indigenous language.

«**301.2.** Any contract for services entered into by a French-language school service centre must provide that any person who would be required to work with students or be in regular contact with them must use French exclusively when the person is not providing services and where the following conditions are met:

(1) the person is present on the premises, such as a room or an immovable, placed at the disposal of a school or centre in connection with the performance of the contract; and

(2) the person is communicating orally or in writing with a student or with a personnel member.

This section does not apply where public health or safety also requires the use of another language and does not have the effect of preventing the use of an Indigenous language.

37. The Act is amended by inserting the following section after section 459.5:

“459.5.0.1. The Minister shall prepare a guide for principals of institutions on good practices with respect to instructional planning and to the evaluation of teachers’ contributions to the educational project.”

38. Section 459.7 of the Act is amended by adding the following paragraph at the end:

“The Minister may, in the same manner, order a school service centre to comply with the provisions of an Act or regulation under his administration.”

39. The Act is amended by inserting the following section after section 479.1:

“479.2. It is prohibited to influence or attempt to influence, when motivated by a religious conviction or belief, the exercise of a power or function or the performance of a duty or obligation provided for by this Act.

A person who influences or attempts to influence the exercise of a power or function or the performance of a duty or obligation in a manner contrary to the separation of State and religions, the religious neutrality of the State, the equality of all citizens, freedom of conscience or freedom of religion is deemed to be motivated by a religious conviction or belief.”

40. The Act is amended by inserting the following sections before section 707:

“706. No accommodation or other derogation or adaptation may be granted in connection with the application of sections 16, 18.3 and 258.0.4.

Furthermore, no accommodation or other derogation or adaptation on religious grounds may be granted in connection with the application of sections 14, 19, 96.12, 222, 222.1, 231, 257 and 461.

“706.1. Section 258.0.4 does not apply

(1) to personnel members who, on *(insert the date preceding the date of introduction of this bill)*, exercise a function within a school service centre, for as long as they exercise the same function within the same school service centre;

(2) to personnel members who exercise, on *(insert the date preceding the date of introduction of this bill)*, a function within a school service centre and who, after that date, exercise a new function in addition to the one they were exercising previously, for as long as they predominantly exercise the first function within that same school service centre; or

(3) to persons who provide a service in accordance with a contract other than a contract of employment in effect on (*insert the date of assent to this Act*), unless the contract is renewed after that date.

“706.2. The provisions of sections 16, 18.3, 19, 22, 36, 40.1, 71, 76, 96.12, 96.21.1, 97, 101.1, 110.9, 177.1, 207.1, 213, 215, 215.1, 258.0.1, 258.0.3 to 258.0.5, 266.1, 268, 297, 301.1, 301.2, 479.2 and 706 apply despite sections 1 to 38 of the Charter of human rights and freedoms (chapter C-12).

“706.3. The provisions of sections 16, 18.3, 19, 22, 36, 40.1, 71, 76, 96.12, 96.21.1, 97, 101.1, 110.9, 177.1, 207.1, 213, 215, 215.1, 258.0.1, 258.0.3 to 258.0.5, 266.1, 268, 297, 301.1, 301.2, 479.2 and 706 have effect notwithstanding sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom).”

ACT RESPECTING PRIVATE EDUCATION

41. The Act respecting private education (chapter E-9.1) is amended by inserting the following section after section 54.11.5, enacted by section 31 of chapter 9 of the statutes of 2024:

“54.11.6. Members of the personnel of an institution not accredited for purposes of subsidies must exercise their functions with their face uncovered, unless their face must be covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks.

The institution must take the necessary means to ensure compliance with the obligation provided for in the first paragraph.

A provision of a collective agreement or a decree within the meaning of the Act respecting labour standards (chapter N-1.1) or of any other contract concerning conditions of employment that is incompatible with the provisions of this section is absolutely null.”

42. Section 63.3 of the Act is amended

(1) by replacing the second paragraph by the following paragraphs:

“The rules of conduct must specify, among other things,

(1) the attitudes and behaviour that are required of students at all times, which exclude all forms of bullying and violence, in particular those motivated by racism or homophobia or targeting sexual orientation, sexual or gender identity, a handicap or a physical characteristic, and ensure compliance with the equality of women and men;

(2) the actions and exchanges that are prohibited at all times, regardless of the means used, including those occurring through social media and during school transportation;

(3) the dress code that students must comply with, including the obligation that is set out in the educational service contract to have their face uncovered; and

(4) the applicable disciplinary sanctions according to the severity or repetitive nature of the prohibited act.

In addition, the rules of conduct may specify the role of parents in their implementation.

The Minister may, by regulation, specify the elements that must be included in the rules of conduct in accordance with the second paragraph and prescribe other elements that must be included.”;

(2) by inserting the following sentence at the end of the third paragraph: “The institution must see to it that appropriate means are taken for the parents to have knowledge of the rules of conduct.”;

(3) by adding the following paragraph at the end:

“Every member of the institution’s personnel must collaborate in implementing the rules of conduct and see to it that every student complies with the obligation to have their face uncovered.”

43. Section 65.2 of the Act is amended by adding the following paragraph at the end:

“Lastly, the agreement must provide that any person who would be required to provide the services covered by the agreement to students must ensure the students’ compliance with the obligation to have their face uncovered. The agreement must also provide that the person must have their face uncovered when providing those services to the students, unless their face must be covered for health reasons or because of a handicap or of requirements tied to their functions or to the performance of certain tasks.”

44. The Act is amended by inserting the following section after section 68:

“68.1. The educational service contract for educational services belonging to a category mentioned in any of subparagraphs 1 to 5 of section 1 of this Act must, on pain of nullity, set out the students’ obligation to have their face uncovered when they are on the premises, such as a room or an immovable, of the institution and when services are being provided to them by the institution, including services provided on behalf of the institution or those provided as part of the carrying out of a special school project, unless their face must be covered for health reasons or because of a handicap or of requirements tied to the performance of certain tasks.

The contract must also provide that no accommodation or other derogation or adaptation, except those provided for by this Act, may be granted in connection with the students' obligation to have their face uncovered."

45. The Act is amended by inserting the following sections after section 174:

"175. No accommodation or other derogation or adaptation may be granted in connection with the application of section 54.11.6.

"175.1. A service contract to provide educational services belonging to one of the categories mentioned in paragraphs 1 to 5 of section 1, entered into before (*insert the date of assent to this Act*) and whose performance continues after that date, is deemed to include the obligation set out in section 68.1.

"175.2. The provisions of sections 54.11.6, 63.3, 65.2, 68.1, 175 and 175.1 apply despite sections 1 to 38 of the Charter of human rights and freedoms (chapter C-12).

"175.3. The provisions of sections 54.11.6, 63.3, 65.2, 68.1, 175 and 175.1 have effect notwithstanding sections 2 and 7 to 15 of the Constitution Act, 1982 (Schedule B to the Canada Act, chapter 11 in the 1982 volume of the Acts of the Parliament of the United Kingdom)."

REGULATION RESPECTING THE STANDARDS OF ETHICS AND PROFESSIONAL CONDUCT APPLICABLE TO THE MEMBERS OF THE BOARD OF DIRECTORS OF A FRENCH-LANGUAGE SCHOOL SERVICE CENTRE

46. Section 2 of the Regulation respecting the standards of ethics and professional conduct applicable to the members of the board of directors of a French-language school service centre (chapter I-13.3, r. 7.02) is amended by adding the following sentence at the end of the first paragraph: "His or her conduct is free of religious considerations and is guided by democratic values and Québec values, including the equality of women and men, and by State laicity."

47. Section 32 of the Regulation is amended by replacing the second paragraph by the following paragraphs:

"It sends the Minister its decision on the admissibility of the disclosure and the reasons for its decision within 15 days of receipt of the disclosure.

The Minister may, within 15 days of receiving a decision, cancel it and, if applicable, conclude that the disclosure is admissible.

On the expiry of the period specified in the third paragraph or on receipt of the Minister's decision, the committee sends, without delay, its decision or, if applicable, the Minister's decision on the admissibility of the disclosure to the informant and to the member covered by the disclosure."

48. Section 33 of the Regulation is amended by replacing “If it does not dismiss the disclosure” in the first paragraph by “Where a disclosure is admissible”.

49. Section 34 of the Regulation is amended

(1) by replacing “the member and the informant” in the second paragraph by “the Minister”;

(2) by inserting the following paragraphs after the second paragraph:

“The Minister may, within 15 days of receiving the conclusions of the committee, substitute his or her own conclusions for the committee’s conclusions. In that case, the Minister sends the committee his or her conclusions and the reasons for them as well as, if applicable, his or her recommendations. The committee informs in writing the informant and the member covered by the disclosure of the Minister’s conclusions.

On the expiry of the period specified in the third paragraph or, if applicable, on receipt of the Minister’s conclusions, the committee informs in writing the informant and the member covered by the disclosure of its conclusions or those of the Minister.”;

(3) by replacing the first sentence in the third paragraph by the following sentence: “Where the committee or the Minister comes to the conclusion that the member under inquiry has contravened this Regulation, the committee sends without delay a report giving the reasons for that conclusion and its recommendations or those of the Minister to the secretary general and to the member under inquiry.”

FINAL PROVISION

50. The provisions of this Act come into force on (*insert the date of assent to this Act*), except the provisions of section 5, paragraph 2 of section 6, sections 7 and 12, paragraphs 1 and 2 of section 13, sections 15, 19, 21, 22, 24, 26 and 37, and paragraphs 1 and 2 of section 42, which come into force on the date or dates to be set by the Government.

