

Gazette
officielle

^{DU}
Québec

Part

2

No. 34A

25 August 2007

Laws and Regulations

Volume 139

Summary

Table of Contents
Regulations and other acts
Index

Legal deposit – 1st Quarter 1968
Bibliothèque nationale du Québec
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Table of Contents

Page

Regulations and other acts

698-2007	Financial assistance for education expenses (Amend.)	2395A
699-2007	Basic school regulation for preschool, elementary and secondary education (Amend.)	2398A

Regulations and other acts

Gouvernement du Québec

O.C. 698-2007, 22 August 2007

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3)

Financial assistance for education expenses — Amendments

Regulation to amend the Regulation respecting financial assistance for education expenses

WHEREAS, under section 57 of the Act respecting financial assistance for education expenses (R.S.Q., c. A-13.3), the Government may make regulations for the purposes of the Act;

WHEREAS the Government made the Regulation respecting financial assistance for education expenses by Order in Council 344-2004 dated 7 April 2004;

WHEREAS it is expedient to amend the Regulation respecting financial assistance for education expenses;

WHEREAS, under section 23.7 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., c. C-60), every draft regulation respecting the financial assistance programs established by the Act respecting financial assistance for education expenses must be submitted to the advisory committee on the financial accessibility of education for advice;

WHEREAS a draft of the Regulation attached to this Order in Council was submitted to the advisory committee on the financial accessibility of education and the latter gave its advice;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 30 June 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such a coming into force:

— The amendments made to the Regulation respecting financial assistance for education expenses by the Regulation attached to this Order in Council must apply as of the 2007-2008 year of allocation which begins on 1 September 2007;

— Certain students without sufficient financial resources may not receive increased financial assistance as long as those amendments are not into force;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Recreation and Sports:

THAT the Regulation to amend the Regulation respecting financial assistance for education expenses, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Regulation respecting financial assistance for education expenses *

An Act respecting financial assistance for education expenses
(R.S.Q., c. A-13.3, s. 57)

1. Section 17 of the Regulation respecting financial assistance for education expenses is amended

(1) by replacing “\$13,885” in subparagraph 1 of the first paragraph by “\$15,274”;

* The Regulation respecting financial assistance for education expenses, made by Order in Council 344-2004 dated 7 April 2004 (2004, *G.O.* 2, 1211), was last amended by the regulation made by Order in Council 623-2005 dated 23 June 2005 (2005, *G.O.* 2, 2299). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

(2) by replacing “\$11,775” in subparagraph 2 of the first paragraph by “\$12,931”;

(3) by replacing “\$2,100” in subparagraph 3 of the first paragraph by “\$2,310”;

(4) by replacing “\$2,200” in subparagraph 4 of the first paragraph by “\$2,250”;

(5) by replacing “\$2,400” in the second paragraph by “\$2,650”.

2. Section 18 is amended

(1) by replacing “\$11,755” in the first paragraph by “\$12,931”;

(2) by replacing “\$2,200” in the second paragraph by “\$2,250”.

3. Section 26 is amended

(1) by replacing subparagraph 1 of the first paragraph by the following:

“(1) receives last resort financial assistance under the Individual and Family Assistance Act (R.S.Q., c. A-13.1.1), other than financial assistance for participating in a social assistance and support measure or program offered under that Act;”;

(2) by replacing “\$165” in the second paragraph by “\$168”.

4. Section 27 is amended

(1) by replacing “section 16 of the Act respecting income support, employment assistance and social solidarity (R.S.Q., c. S-32.001)” in paragraph 1 by “section 49 of the Individual and Family Assistance Act”;

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

“(5) has a severely limited capacity for employment within the meaning of the Individual and Family Assistance Act and is participating in a social assistance and support measure or program offered under that Act.”.

5. Section 29 is amended

(1) by replacing “didactic materials” in the third paragraph by “educational materials and access to telematics services”;

(2) by replacing the amounts set out respectively in subparagraphs 1 to 6 of the third paragraph by the following:

(1) “\$165”;

(2) “\$165”;

(3) “\$190”;

(4) “\$365”;

(5) “\$415”;

(6) “\$190”.

6. The following section is inserted after section 29.1:

“**29.2.** A special allocation for school fees is granted to a student who attends a university-level institution in Québec if the amount of the loan that may be granted to the student, computed in accordance with section 14 of the Act respecting financial assistance for education expenses, corresponds to the amount of the first portion of a loan set out in paragraph 3 of section 49 or, if the student’s contribution is recomputed as provided in the third paragraph of section 1, the amount of the loan corresponds to the portion of the maximum loan amount established pursuant to section 54.

The amount of the allocation granted to a student in the form of a loan is \$16.65 per credit.

The amount of the allocation is not taken into account in computing the amount of financial assistance for education expenses.”.

7. Section 32 is amended

(1) by replacing “\$325” and “\$715” in the first paragraph by “\$332” and “\$730”;

(2) by replacing “\$125”, “\$200”, “\$515” and “\$200” in the second paragraph by “\$128”, “\$204”, “\$526” and “\$204”.

8. Section 33 is amended

(1) by replacing “\$58” in the first paragraph by “\$59”;

(2) by replacing the second paragraph by the following:

“However, if the child is of full age or if the student is not entitled to child assistance payments under the Taxation Act, the amount is increased to \$169 per month.”.

9. Section 34 is amended by replacing “\$243” and “\$1,128” in the first paragraph by “\$248” and “\$1,152”.

10. Section 35 is amended by replacing “\$83” in the second paragraph by “\$85”.

11. Section 37 is amended

(1) by replacing the third paragraph by the following:

“Living expenses for a child are also allocated to a student who has shared custody of his or her minor child if the student is not entitled to child assistance payments under the Taxation Act.”;

(2) by replacing the fifth paragraph by the following:

“The living expenses for a child are \$221 a month for each child.”;

(3) by replacing the sixth paragraph by the following:

“Despite the third and fifth paragraphs, if no amount has been established as a spouse’s contribution, a student who is entitled to child assistance payments under the Taxation Act is entitled to living expenses for a child equal to the amount obtained by subtracting the amount of child assistance payments to which the student is entitled as child assistance payments, calculated on a monthly basis, from the amount set out in the fifth paragraph.”.

12. Section 38 is amended by replacing “section 39 of the Act respecting childcare centres and childcare services (R.S.Q., c. C-8.2)” in the second paragraph by “section 82 of the Educational Childcare Act (R.S.Q., c. S-4.1.1)”.

13. Section 40 is amended by replacing “\$63” and “\$504” in the first paragraph by “\$64” and “\$512”.

14. Section 46 is amended by adding the following subparagraph at the end of the first paragraph:

“(4) the student’s capacity for employment is limited within the meaning of the Individual and Family Assistance Act and the student is participating in a social assistance and support measure or program offered under that Act.”.

15. Section 50 is amended

(1) by replacing the amounts set out respectively in subparagraphs 1 to 3 of the first paragraph by the following:

(1) “\$13,069”;

(2) “\$13,069”;

(3) “\$15,662”;

(2) by replacing the amounts set out respectively in subparagraphs 1 to 3 of the second paragraph by the following:

(1) “\$3,522”;

(2) “\$4,457”;

(3) “\$5,396”.

16. Section 74 is replaced by the following:

“**74.** A borrower is in a precarious financial situation if the borrower’s employment income referred to in Schedule I is less, on a monthly basis, than the amount obtained by multiplying the minimum wage set out in section 3 of the Regulation respecting labour standards (R.R.Q., 1981, c. N-1.1, r.3) by 160.21, and the borrower expects his or her income to remain such for the following 4 months.

The amount determined under the first paragraph is increased by \$221 for each child of the borrower. The amount is further increased by \$112 if the borrower has no spouse and lives with the child.”.

17. Section 86 is amended by replacing “\$85” in subparagraph 3 of the first paragraph by “\$101.65”.

18. Section 96 is amended by replacing “section 16 of the Act respecting income support, employment assistance and social solidarity” in the first paragraph by “section 49 of the Individual and Family Assistance Act”.

19. Schedule II is amended by adding “, other than those paid under the Individual and Family Assistance Act” at the end of paragraph 5.

20. Despite section 6, the amount of the special allocation for school fees granted under section 29.2 of the Regulation respecting financial assistance for education expenses is as follows:

(1) for the 2007-2008 year of allocation: \$3.33 per credit;

(2) for the 2008-2009 year of allocation: \$6.66 per credit;

(3) for the 2009-2010 year of allocation: \$9.99 per credit;

(4) for the 2010-2011 year of allocation: \$13.32 per credit.

21. Despite section 15, the amount allocated under subparagraph 3 of the first paragraph of section 50 of the Regulation respecting financial assistance for education expenses is as follows:

- (1) for the 2007-2008 year of allocation: \$15,262;
- (2) for the 2008-2009 year of allocation: \$15,362;
- (3) for the 2009-2010 year of allocation: \$15,462;
- (4) for the 2010-2011 year of allocation: \$15,562.

22. Despite section 17, the amount allocated under subparagraph 3 of the first paragraph of section 86 of the Regulation respecting financial assistance for education expenses is as follows:

- (1) for the 2007-2008 year of allocation: \$88.33 per credit;
- (2) for the 2008-2009 year of allocation: \$91.66 per credit;
- (3) for the 2009-2010 year of allocation: \$94.99 per credit;
- (4) for the 2010-2011 year of allocation: \$98.32 per credit.

23. This Regulation applies as of the 2007-2008 year of allocation.

24. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

8288

Gouvernement du Québec

O.C. 699-2007, 22 August 2007

Education Act
(R.S.Q., c. I-13.3)

Basic school regulation for preschool, elementary and secondary education — Amendments

Regulation to amend the Basic school regulation for preschool, elementary and secondary education

WHEREAS, under section 447 of the Education Act (R.S.Q., c. I-13.3), the Government may make regulations to be known as the “basic school regulation”;

WHEREAS the Government by Order in Council 651-2000 dated 1 June 2000 made the Basic school regulation for preschool, elementary and secondary education;

WHEREAS it is expedient to amend the Basic school regulation for preschool, elementary and secondary education;

WHEREAS section 458 of the Education Act provides that every draft regulation under that section must be submitted to the Conseil supérieur de l'éducation;

WHEREAS a draft Regulation, attached to this Order in Council, was submitted to the Conseil supérieur de l'éducation which gave its advice;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation attached to this Order in Council was published in Part 2 of the *Gazette officielle du Québec* of 6 June 2007 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that urgency of the situation requires it;

WHEREAS the Government is of the opinion that the urgency due to the following circumstances justifies such coming into force:

— The amendments made by the Regulation attached to this Order in Council to the Basic school regulation for preschool, elementary and secondary education must apply as of the commencement of the 2007-2008 school year which began on 1 July 2007;

WHEREAS it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Recreation and Sports:

THAT the Regulation to amend the Basic school regulation for preschool, elementary and secondary education, attached to this Order in Council, be made.

GÉRARD BIBEAU,
Clerk of the Conseil exécutif

Regulation to amend the Basic school regulation for preschool, elementary and secondary education*

Education Act
(R.S.Q., c. I-13.3, s. 447)

1. Section 13 of the Basic school regulation for preschool, elementary and secondary education is amended by striking out the last paragraph.

2. The following is inserted after section 15:

“**15.1.** For elementary education, the school principal may, exceptionally, in the student’s interest, allow the student to remain for a second year in the same class

if it is evident from the student’s individualized education plan that such a measure is, among possible measures, a measure more likely to facilitate the student’s academic progress despite the fact that the duration of the first or second cycle for the student would, because of the measure, be three school years.

The measure, which may be used only once during elementary education, must not result in the student being promoted to secondary school after more than 6 years of elementary school studies.”.

3. Section 23.1 is amended by replacing the tables following the second paragraph by the following:

“

SECONDARY EDUCATION – CYCLE TWO GENERAL EDUCATION PATH				
Secondary III		Secondary IV		Secondary V
Compulsory Subjects		Compulsory Subjects		Compulsory Subjects
French, language of instruction	English, language of instruction	Language of instruction 150 hours – 6 credits		Language of instruction 150 hours – 6 credits
200 hours – 8 credits	150 hours – 6 credits	Second language 100 hours – 4 credits		Second language 100 hours – 4 credits
or		Second language 100 hours – 4 credits		Second language 100 hours – 4 credits
English, second language	French, second language	Second language 100 hours – 4 credits		Second language 100 hours – 4 credits
100 hours – 4 credits	150 hours – 6 credits	Mathematics 100 or 150 hours – 4 or 6 credits		Mathematics 100 or 150 hours – 4 or 6 credits
Mathematics 150 hours – 6 credits		Mathematics 100 or 150 hours – 4 or 6 credits		Mathematics 100 or 150 hours – 4 or 6 credits
Science and technology 150 hours – 6 credits		Science and technology 100 hours – 4 credits		

* The Basic school regulation for preschool, elementary and secondary education, made by Order in Council 651-2000 dated 1 June 2000 (2000, *G.O.* 2, 2593), was last amended by the regulation made by Order in Council 488-2005 dated 25 May 2005 (2005, *G.O.* 2, 1655). For previous amendments, refer to the *Tableau des modifications et Index sommaire*, Québec Official Publisher, 2007, updated to 1 March 2007.

Secondary III	Secondary IV	Secondary V
Compulsory Subjects	Compulsory Subjects	Compulsory Subjects
History and citizenship education 100 hours – 4 credits	History and citizenship education 100 hours – 4 credits	Contemporary world 100 hours - 4 credits
Arts education: One of the four following subjects: Drama Visual arts Dance Music 50 hours – 2 credits	Arts education: One of the four following subjects: Drama Visual arts Dance Music 50 hours – 2 credits	Arts education: One of the four following subjects: Drama Visual arts Dance Music 50 hours – 2 credits
Physical education and health 50 hours – 2 credits	Physical education and health 50 hours – 2 credits	Physical education and health 50 hours – 2 credits
	Ethics and religious culture 100 hours – 4 credits	Ethics and religious culture 50 hours – 2 credits
		Integrative project 50 hours – 2 credits
Elective Subjects 100 hours – 4 credits	Elective Subjects 100 or 150 hours – 4 or 6 credits	Elective Subjects 200 or 250 hours – 8 or 10 credits

**SECONDARY EDUCATION – CYCLE TWO
APPLIED GENERAL EDUCATION PATH**

Secondary III		Secondary IV	Secondary V
Compulsory Subjects		Compulsory Subjects	Compulsory Subjects
French, language of instruction 200 hours – 8 credits	English, language of instruction 150 hours – 6 credits	Language of instruction 150 hours – 6 credits	Language of instruction 150 hours – 6 credits
or			
English, second language 100 hours – 4 credits	French, second language 150 hours – 6 credits	Second language 100 hours – 4 credits	Second language 100 hours – 4 credits
Mathematics 150 hours – 6 credits		Mathematics 100 or 150 hours – 4 or 6 credits	Mathematics 100 or 150 hours – 4 or 6 credits

Secondary III	Secondary IV	Secondary V
Compulsory Subjects	Compulsory Subjects	Compulsory Subjects
Applied science and technology 150 hours – 6 credits	Applied science and technology 150 hours – 6 credits	
History and citizenship education 100 hours – 4 credits	History and citizenship education 100 hours – 4 credits	Contemporary world 100 hours - 4 credits
Arts education: One of the four following subjects: Drama Visual arts Dance Music 50 hours – 2 credits	Arts education: One of the four following subjects: Drama Visual arts Dance Music 50 hours – 2 credits	Arts education: One of the four following subjects: Drama Visual arts Dance Music 50 hours – 2 credits
Physical education and health 50 hours – 2 credits	Physical education and health 50 hours – 2 credits	Physical education and health 50 hours – 2 credits
Personal orientation project 100 hours – 4 credits	Ethics and religious culture 100 hours – 4 credits	Ethics and religious culture 50 hours – 2 credits
		Integrative project 50 hours – 2 credits
	Elective Subjects 50 or 100 hours – 2 or 4 credits	Elective Subjects 200 or 250 hours – 8 or 10 credits
	Exploration of vocational training 2 or 4 credits	Exploration of vocational training 2 or 4 credits
	Personal orientation project 4 credits	Entrepreneurship 2 or 4 credits
	Entrepreneurship 2 or 4 credits	

4. Section 23.3 of the French text is amended by replacing “axé” in the first paragraph by “axée”.

5. Section 23.4 of the French text is amended by replacing “axé” in the heading of the table by “axée”.

6. Section 23.5 of the French text is amended by replacing “axé” in the heading of the table by “axée”.

7. Section 28 is amended by adding “in the case of a student taking the general education path or the applied general education path” after “be by subject” in the third paragraph.

8. Section 30 is amended

(1) by replacing “evaluated.” at the end of paragraph 15 by the following:

“evaluated; the status of the development of the competencies for elementary and secondary education is expressed by a percentage. The competencies are indicated on the report card in the terms used in the programs, with preference given to ordinary terms;”;

(2) by adding the following after paragraph 15:

“(15.1) the student’s result and the group average for each subject taught, expressed as a percentage;

(15.2) for an end of year report card for a student in the first, third or fifth year of elementary school or for a student in the first year of secondary school, comments on the student’s achievement during the reference period in relation to one or more cross-curricular competencies, with reference to the standards and procedures for the evaluation of student achievement approved by the principal under subparagraph 4 of the first paragraph of section 96.15 of the Act; the competencies are indicated on the report card in the terms used in the programs, with preference given to ordinary terms;”;

(3) by adding the following paragraphs at the end of the section:

“The status of the development of the competencies referred to in subparagraph 15 of the first paragraph and the student’s result referred to in subparagraph 15.1 are based on the conversion table established by the Minister for the program of studies.

Subparagraphs 15 to 15.2 of the first paragraph do not apply to a student in pre-work training. Instead, the report card for that student must contain an indication of the student’s progress in relation to the objectives set for the student by the teacher, with reference to the objectives of the program of studies established by the Minister.”.

9. Section 30.1 is replaced by the following:

“**30.1.** The competency report of a student in primary or secondary education must include

(1) an indication, expressed as a percentage, of the level of development achieved by the student for each of the competencies in the program of studies;

(2) comments on the student’s achievement during the reference period in relation to one or more cross-curricular competencies, with reference to the standards and procedures for the evaluation of student achievement approved by the principal under subparagraph 4 of the first paragraph of section 96.15 of the Act; and

(3) the student’s result and the group average for each subject taught, expressed as a percentage and, for a secondary school student who passes, the credits for the subjects.

The level of development of the competencies referred to in subparagraph 1 of the first paragraph and the student’s result referred to in subparagraph 3 are based, where applicable, on the scales of competency levels and conversion tables established by the Minister for the programs of studies.

Subparagraphs 1 and 3 of the first paragraph do not apply to students in pre-work training for whom the result in each subject is expressed by a rating.

The competencies in the programs of studies and the cross-curricular competencies are indicated in the competency report in the terms used in the programs, with preference given to ordinary terms.

30.2. The competency report of a student in pre-school education must include an indication of the level of development achieved by the student for each of the competencies in the pre-school program of activities.

The competencies are indicated in the competency report in the terms used in the program, with preference given to ordinary terms.

30.3. Every school board may, to the extent and on the conditions determined by the Minister, exempt handicapped students referred to in section 1 or 2 of Schedule II from the application of subparagraphs 15 to 15.2 of the first paragraph of section 30 and from section 30.1.”.

10. This Regulation comes into force on the date of its publication in the *Gazette officielle du Québec*.

Index

Abbreviations : **A**: Abrogated, **N**: New, **M**: Modified

	Page	Comments
Basic school regulation for preschool, elementary and secondary education . . . (Education Act, R.S.Q., c. I-13.3)	2398A	M
Education Act — Basic school regulation for preschool, elementary and secondary education (R.S.Q., c. I-13.3)	2398A	M
Financial assistance for education expenses (An Act respecting financial assistance for education expenses, R.S.Q., c. A-13.3)	2395A	M
Financial assistance for education expenses, An Act respecting... — Financial assistance for education expenses (R.S.Q., c. A-13.3)	2395A	M

