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DU Québec

Part

2

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Laws and Regulations

Volume 142

Summary

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Part 2 – LAWS AND REGULATIONS

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Contents

Part 2 contains:

- (1) Acts assented to, before their publication in the annual collection of statutes;
- (2) proclamations of Acts;
- (3) regulations made by the Government, a minister or a group of ministers and of Government agencies and semi-public agencies described by the Charter of the French language (R.S.Q., c. C-11), which before coming into force must be approved by the Government, a minister or a group of ministers;
- (4) decisions of the Conseil du trésor and ministers’ orders whose publications in the *Gazette officielle du Québec* is required by law or by the Government;
- (5) regulations and rules made by a Government agency which do not require approval by the Government, a minister or a group of ministers to come into force, but whose publication in the *Gazette officielle du Québec* is required by law;
- (6) rules of practice made by judicial courts and quasi-judicial tribunals;
- (7) drafts of the texts mentioned in paragraph 3 whose publication in the *Gazette officielle du Québec* is required by law before their adoption or approval by the Government.

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Regulations and other Acts

Gouvernement du Québec

O.C. 712-2010, 20 August 2010

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 made the Basic school regulation for preschool, elementary and secondary education (R.R.Q., c. I-13.3, r. 8);

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), a draft of the Regulation to amend the Basic school regulation for preschool, elementary and secondary education was published in the *Gazette officielle du Québec* of 11 June 2010 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, in accordance with section 458 of the Education Act and section 10.1 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., c. C-60), the draft Regulation was submitted to the Conseil supérieur de l'éducation which advised the Minister of Education, Recreation and Sports on the draft Regulation;

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. The Basic school regulation for preschool, elementary and secondary education (R.R.Q., c. I-13.3, r. 8) is amended in section 15 by replacing “competencies in each subject area and cross-curricular competencies” in the third paragraph by “knowledge and competencies in each subject area”.

2. Section 20 is amended by adding the following at the end:

“(4) in the case of an elementary or a secondary student, a summary of the standards and procedures for the evaluation of student learning approved by the school principal, indicating in particular the nature of the main evaluations and the period during which they are scheduled for each subject.

If, during the year, significant adjustments are made to the information to which subparagraph 4 of the first paragraph applies, the school principal ensures that the adjustments are also communicated to the parents or to the student.”.

3. Section 23.3 is amended by replacing “competency report” in the second paragraph by “last report card of the school year”.

4. Section 28 is amended

(1) by inserting “, that is, knowledge and competencies in each subject area,” after “learning” in the first paragraph;

(2) by replacing “competency report” in the second paragraph by “last report card of the last school year”.

5. The following is inserted after section 28:

“**28.1.** For elementary and secondary education, the pass mark is 60% for each subject.”.

6. Section 29 is replaced by the following:

29. In order to inform a student's parents of the student's learning and behaviour, the school provides one written communication, other than a report card, to the parents no later than 15 October. If the student is of full age, the communication is provided to the student.

29.1. In order to inform a student's parents of the student's academic progress, the school provides a report card to the parents at the end of each of the 3 terms, in the form prescribed by Schedules IV to VII. If the student is of full age, the report cards are provided to the student.

The report cards are provided no later than 20 November for the first term, 15 March for the second term and 10 July for the third term.

29.2. At least once a month, information is provided to the parents of a minor in the following cases:

(1) the student's results put him or her at risk of not obtaining the pass mark for the programs of studies or, for a child in preschool education, when the child's progress indicates that he or she will not be ready to proceed to the first grade of elementary school at the beginning of the following school year;

(2) the student's behaviour does not comply with the school's rules of conduct;

(3) an individualized education plan providing for the information was prepared for the student.

The information is intended to foster collaboration between the parents and the school in correcting learning difficulties and behavioural problems as soon as they appear and, in some cases, in implementing an individualized education plan."

7. Sections 30 to 30.3 are replaced by the following:

30. The report card for preschool education must be consistent with the report card in Schedule IV and contain all the information shown in sections 1 and 2 of the report card in the schedule; the last report card of the school year must contain all the information shown in section 4 of the report card in the schedule.

The results shown in section 2 of the report card must indicate the status of the development of the competencies in the Preschool Education program, if the competencies have been evaluated or, in the case of the last report card of the school year, a report on the level of development achieved by the student for each competency in the Preschool Education program.

The status of the development of the competencies and the report on the level of development of the competencies are based on the framework for the evaluation of learning for the Preschool Education program as established by the Minister.

30.1. The report cards for elementary education and the first or second cycle of secondary education must be consistent with the report cards in Schedules V to VII, as applicable. They must contain all the information shown in sections 1 to 3 of the report cards in the schedules; for the last report card of the school year in elementary education or the first cycle of secondary education, the report cards must contain the information shown in section 5 of the report card in the applicable schedule.

A student's results in section 2 of the report cards must include

(1) a detailed result per competency for the language of instruction, second language and mathematics subjects;

(2) a detailed result per component, theory and practical, for compulsory and elective science subjects, other than mathematics, such as Science and Technology and Applied Science and Technology;

(3) a subject mark for each subject taught and the group average.

At the end of the first 2 terms of the school year, the detailed results, for the subjects for which such results are required, are detailed only for the competencies or components that have been evaluated.

At the end of the third term of the school year, the results consist in a report pertaining to the program of study, indicating the student's result for the competencies or components of the programs of studies for the subjects in subparagraphs 1 and 2 of the second paragraph as well as, for each subject taught, the student's subject mark and the group average.

The last report card of the school year includes the student's final mark for the competencies or components of the programs of studies established by the Minister for the subjects in subparagraphs 1 and 2 of the second paragraph as well as the student's final subject mark and the final group average for each subject taught. In secondary education, the credits earned for each subject passed are also indicated.

30.2. The results in section 2 of the elementary school report cards or secondary school report cards, cycle one or two, must all be expressed as a percentage. The results are based on the framework for the evaluation of learning established by the Minister for each program of study as well as, in accordance with section 30.3, on the examinations set by the Minister or the school board, if applicable.

The final mark per competency or component is calculated according to the following weighing: 20% for the first term, 20% for the second term, 60% for the third term.

The student's subject mark and final subject mark are calculated using the weighing of competencies established in the framework for the evaluation.

30.3. Subject to section 34 of this basic school regulation and section 470 of the Act, a student's result for an examination set by the Minister is worth 20% of the student's final mark.

30.4. A school board may, to the extent and on the conditions determined by the Minister, exempt handicapped students or students with social maladjustments or learning disabilities and students receiving welcoming services and support in learning French from the application of the provisions relating to results in this basic school regulation.”.

8. The following schedules are added at the end:

"SCHEDULE IV
(ss. 29.1 and 30)

PRESCHOOL EDUCATION REPORT CARD

20__ - 20__ School Year

*Insert the
school board's
logo and name*

1. GENERAL INFORMATION

Name of school: Institution code: Principal: Signature: Teacher:	Address: Telephone (area code and no.): Fax (area code and no.):																
Student's name: Permanent code: Date of birth: Age on September 30:	Recipient(s) of report card (<i>Check</i>) : Father <input type="checkbox"/> Mother <input type="checkbox"/> Legal guardian <input type="checkbox"/> Other <input type="checkbox"/> Name: Address: Telephone at home (area code and no.): Telephone at work (area code and no.): Other (area code and no.):																
Reporting term: Starting: Ending:	<table border="1"> <thead> <tr> <th colspan="4">Attendance</th> </tr> <tr> <th>Terms</th> <th>1</th> <th>2</th> <th>3</th> </tr> </thead> <tbody> <tr> <td>Days absent</td> <td></td> <td></td> <td></td> </tr> <tr> <td>School days</td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Attendance				Terms	1	2	3	Days absent				School days			
Attendance																	
Terms	1	2	3														
Days absent																	
School days																	

2. RESULTS

	Term 1	Term 2	Term 3
<i>Enter a Preschool Education competency</i>			
<i>Repeat the preceding line as many times as necessary</i>			
Comments: <i>Enter comments regarding the student's strengths, challenges and progress</i>			
MARK	KEY		
	Terms 1 and 2	Term 3	
A	The student is making very good progress.	The student exceeds the program expectations.	
B	The student is making satisfactory progress.	The student meets the program expectations.	
C	The student is making progress, but with some difficulties.	The student partially meets the program expectations.	
D	The student is experiencing serious difficulties.	The student does not meet the program expectations.	

3. OTHER COMMENTS (COMPLETE IF APPLICABLE)

Various comments, such as regarding other learning that has taken place during class or school projects

4. STUDENT'S ACADEMIC PROGRESS (COMPLETE ONLY FOR THE LAST REPORT CARD OF THE YEAR)

Promotion to elementary school

- The student will continue in preschool education because he/she will not be 6 years old before October 1.
- The student will continue in preschool education in accordance with the conditions set out in his/her individualized education plan (IEP).
- The student will move on to elementary school.

Principal's signature

Date

SCHEDULE V
(ss. 29.1, 30.1 and 30.2)

ELEMENTARY SCHOOL REPORT CARD

20__ - 20__ School Year

*Insert the school
board's logo and
name*

1. GENERAL INFORMATION

Name of school: Institution code: Principal: Signature:	Address: Telephone (area code and no.): Fax (area code and no.):																												
Student's name: Permanent code: Date of birth: Age on September 30: Cycle: Year: Elementary ___	Recipient(s) of report card (<i>Check</i>) : Father <input type="checkbox"/> Mother <input type="checkbox"/> Legal guardian <input type="checkbox"/> Other <input type="checkbox"/> Name: Address: Telephone at home (area code and no.): Telephone at work (area code and no.): Other (area code and no.):																												
Reporting term: Starting: Ending:	Attendance <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <tr> <td></td> <td colspan="3" style="text-align: center;">Elementary ___</td> <td colspan="3" style="text-align: center;">Elementary ___</td> </tr> <tr> <td style="text-align: center;">Terms</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> <td style="text-align: center;">1</td> <td style="text-align: center;">2</td> <td style="text-align: center;">3</td> </tr> <tr> <td style="text-align: center;">Days absent</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> <tr> <td style="text-align: center;">School days</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </table>		Elementary ___			Elementary ___			Terms	1	2	3	1	2	3	Days absent							School days						
	Elementary ___			Elementary ___																									
Terms	1	2	3	1	2	3																							
Days absent																													
School days																													

2. RESULTS

<i>Enter subject name</i> Teacher:	Cycle ___ <table border="1" style="margin-left: auto; margin-right: auto; border-collapse: collapse;"> <tr> <td></td> <td colspan="4" style="text-align: center;">Elementary ___</td> <td colspan="4" style="text-align: center;">Elementary ___</td> </tr> <tr> <td style="text-align: center;">Term 1</td> <td style="text-align: center;">Term 2</td> <td style="text-align: center;">Term 3</td> <td style="text-align: center;">Final Mark</td> <td style="text-align: center;">Term 1</td> <td style="text-align: center;">Term 2</td> <td style="text-align: center;">Term 3</td> <td style="text-align: center;">Final Mark</td> </tr> </table>		Elementary ___				Elementary ___				Term 1	Term 2	Term 3	Final Mark	Term 1	Term 2	Term 3	Final Mark
	Elementary ___				Elementary ___													
Term 1	Term 2	Term 3	Final Mark	Term 1	Term 2	Term 3	Final Mark											
<i>Enter a competency if the subject is one for which a detailed result is required under section 30.1</i>																		
Repeat the preceding line as many times as necessary																		
Subject mark																		
Group average																		
Comments: <i>Enter comments regarding the student's strengths, challenges and progress</i>																		

Repeat this section as many times as necessary

3. COMMENTS ON CERTAIN COMPETENCIES

Comments on two of the following four competencies: exercises critical judgment / organizes his/her work / communicates effectively / works in a team		
	Term 1	Term 3
Elementary ____		
Elementary ____		

4. OTHER COMMENTS (COMPLETE IF APPLICABLE)

Various comments, such as regarding other learning that has taken place during class or school projects

5. STUDENT'S ACADEMIC PROGRESS (COMPLETE ONLY FOR THE LAST REPORT CARD OF THE YEAR)

Promotion to the next year	
<input type="checkbox"/> The student will move on to the next year. <input type="checkbox"/> The student will continue in the same year in accordance with the conditions set out in his/her individualized education plan (IEP).	
_____	_____
Principal's signature	Date

SCHEDULE VI
(ss. 29.1, 30.1 and 30.2)

SECONDARY SCHOOL REPORT CARD

CYCLE ONE

20__ - 20__ School Year

Insert the school board's logo and name

1. GENERAL INFORMATION

Name of school: Institution code: Address: Telephone (area code and no.): Fax (area code and no.): Principal: Signature:	Reporting term: Starting: Ending:
Student's name: Permanent code: Date of birth: Age on September 30: Year: Secondary ____	Recipient(s) of report card (<i>Check</i>) : Father <input type="checkbox"/> Mother <input type="checkbox"/> Legal guardian <input type="checkbox"/> Other <input type="checkbox"/> Student of full age <input type="checkbox"/> Name: Address: Telephone at home (area code and no.): Telephone at work (area code and no.): Other (area code and no.):

2. RESULTS

Enter subject name Course code: Teacher:	Secondary I				Secondary II			
	Term 1	Term 2	Term 3	Final Mark	Term 1	Term 2	Term 3	Final Mark
<i>Enter a competency or component if the subject is one for which a detailed result is required under section 30.1</i>								
Repeat the preceding line as many times as necessary								
Subject mark								
Group average								
Credits								
Days absent	Term 1: ____ Term 2: ____ Term 3: ____				Term 1: ____ Term 2: ____ Term 3: ____			
Comments: <i>Enter comments regarding the student's strengths, challenges and progress</i>								

Repeat this section as many times as necessary

3. COMMENTS ON CERTAIN COMPETENCIES

Comments on two of the following four competencies: exercises critical judgment / organizes his/her work / communicates effectively / works in a team		
	Term 1	Term 3
Secondary I		
Secondary II		

4. OTHER COMMENTS (COMPLETE IF APPLICABLE)

Various comments, such as regarding other learning that has taken place during class or school projects

5. STUDENT'S ACADEMIC PROGRESS (COMPLETE ONLY FOR THE LAST REPORT CARD OF THE YEAR)

Promotion to the next year	
<input type="checkbox"/> The student will move on to the next year. <input type="checkbox"/> The student will continue in the same year in accordance with the conditions set out in his/her individualized education plan (IEP).	
_____	_____
Principal's signature	Date

SCHEDULE VII
(ss. 29.1, 30.1 and 30.2)

SECONDARY SCHOOL REPORT CARD

CYCLE TWO

20__ - 20__ School Year

Insert the school board's logo and name

1. GENERAL INFORMATION

Name of school: Institution code: Address: Telephone (area code and no.): Fax (area code and no.): Principal: Signature:	Reporting term: Starting: Ending:
Student's name: Permanent code: Date of birth: Age on September 30: Year: Secondary ____	Recipient(s) of report card (<i>Check</i>) : Father <input type="checkbox"/> Mother <input type="checkbox"/> Legal guardian <input type="checkbox"/> Other <input type="checkbox"/> Student of full age <input type="checkbox"/> Name: Address: Telephone at home (area code and no.): Telephone at work (area code and no.): Other (area code and no.):

2. RESULTS

Enter subject name Course code: Teacher:	Secondary ____			
	Term 1	Term 2	Term 3	Final Mark
Enter a competency or component if the subject is one for which a detailed result is required under section 30.1				
Repeat the preceding line as many times as necessary				
Subject mark				
Group average				
Credits				
Days absent	Term 1: ____ Term 2: ____ Term 3: ____			
Comments: <i>Enter comments regarding the student's strengths, challenges and progress</i>				

Repeat this section as many times as necessary

3. COMMENTS ON CERTAIN COMPETENCIES

Comments on two of the following four competencies: exercises critical judgment / organizes his/her work / communicates effectively / works in a team		
	Term 1	Term 3
Secondary __		

4. OTHER COMMENTS (COMPLETE IF APPLICABLE)

Various comments, such as regarding other learning that has taken place during class or school projects

"

9. This Regulation comes into force on 1 July 2011.

Draft Regulations

Notice

An Act respecting collective agreement decrees
(R.S.Q., c. D-2)

Non-structural metalwork industry in the Montréal region — Amendments

Notice is hereby given, in accordance with section 5 of the Act respecting collective agreement decrees (R.S.Q., c. D-2), that the Minister of Labour has received an application by the contracting parties to amend the Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., c. D-2, r. 14) and that, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), the draft Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Decree mainly increases the minimum hourly rates of the various employment categories, as well as the amount of the contributions and deductions concerning the employees' pension fund for 2010, 2011 and 2012.

The consultation period will specify the extent of the impacts of the amendments applied for. According to the 2009 annual report of the Comité conjoint des matériaux de construction, 196 employers, 1,125 employees and 13 artisans are subject to the Decree.

Further information may be obtained by contacting:

Patrick Bourassa
Direction des politiques du travail
Ministère du Travail, 200, chemin Sainte-Foy, 5^e étage
Québec (Québec) G1R 5S1
Telephone: 418 528-9738
Fax: 418 643-9454
E-mail: patrick.bourassa@travail.gouv.qc.ca

Any person wishing to comment on the draft Decree is requested to submit written comments within the 45-day period to the Deputy Minister of Labour, 200, chemin Sainte-Foy, 6^e étage, Québec (Québec) G1R 5S1.

JOCELIN DUMAS,
Deputy Minister of Labour

Decree to amend the Decree respecting the non-structural metalwork industry in the Montréal region

An Act respecting collective agreement decrees
(R.S.Q., c. D-2, ss. 2 and 6.1)

1. The Decree respecting the non-structural metalwork industry in the Montréal region (R.R.Q., c. D-2, r. 14) is amended by replacing paragraph 1 of section 5.01 by the following:

“zone 1: Classifications	As of (<i>insert the date of coming into force of this Decree</i>)	As of 30 May 2011	As of 30 May 2012
(a) specialized brake press operator and mechanic	\$22.36	\$22.70	\$23.15
(b) fitter and blacksmith	\$20.41	\$20.72	\$21.13
(c) brake press operator, blade shear operator, buffer	\$20.07	\$20.37	\$20.78
(d) trailer-truck driver	\$19.44	\$19.73	\$20.12
(e) production worker A	\$19.14	\$19.42	\$19.81
(f) truck driver	\$19.14	\$19.42	\$19.81
(g) production worker B and painter	\$13.50	\$13.70	\$13.98
(h) labourer	\$12.54	\$12.73	\$12.99”.

2. Section 6.01 is amended:

(1) by replacing “St. John the Baptist’s Day” in subsection 1 by “The National Holiday”;

(2) by replacing “4” in subsection 4 by “3”;

(3) by replacing “4” in the third paragraph by “3”.

3. Section 6.03 is amended by replacing “St. John the Baptist’s Day” wherever it appears by “the National Holiday”.

4. Section 14.06 is replaced by the following:

“**14.06.** The employer pays into the pension plan of the non-structural metalwork industry in the Montréal region, for each hour paid, the sum of \$1.05.

The sum paid into the pension plan is \$1.30 as of the later of the following dates: 30 May 2011, or the date on which the Régie des rentes du Québec approves the amendments to the pension plan.

14.07. As of the later date mentioned in the second paragraph of section 14.06, the employer will deduct \$0.25 per hour paid from each employees’ wages, in accordance with the pension plan.

14.08. Before the 15th day of each month, the employer remits to the Building Materials Joint Committee a sum equal to the amount of his contribution according to section 14.06 and of the deductions made from his employees’ wages according to section 14.07 for the preceding month.”.

5. Section 17.01 is amended by replacing “2009” wherever it appears by “2012”.

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

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

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