



NATIONAL ASSEMBLY

SECOND SESSION

THIRTY-SIXTH LEGISLATURE

Bill 124
(2002, chapter 63)

**An Act to amend the Act respecting
the Conseil supérieur de l'éducation and
the Education Act**

**Introduced 24 October 2002
Passage in principle 31 October 2002
Passage 13 December 2002
Assented to 18 December 2002**

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EXPLANATORY NOTES

This bill amends the Education Act to provide that each school and each vocational training centre and adult education centre is required to adopt a success plan that includes the measures to be taken based on stated aims, policies and objectives. The bill establishes the rules under which the plan is to be developed and approved.

The bill contains a mandatory requirement for each school board to establish a strategic plan that states the main challenges it faces, particularly as regards success issues, and that contains strategic directions and objectives, the lines of intervention selected and the results targeted over the period covered by the plan.

The bill defines the informational and reporting obligations of the governing boards of schools and centres as well as those of the school boards, principally in relation to the success plan and the strategic plan.

The bill modifies the rules of quorum at meetings of the governing board of a centre and provides for the possibility of holding videoconference meetings that do not require the physical presence of a majority of the commissioners.

Lastly, the bill amends the Act respecting the Conseil supérieur de l'éducation to enable the Deputy Minister of Education to designate a substitute to sit as an associate member of the Conseil supérieur de l'éducation.

Bill 124

AN ACT TO AMEND THE ACT RESPECTING THE CONSEIL SUPÉRIEUR DE L'ÉDUCATION AND THE EDUCATION ACT

THE PARLIAMENT OF QUÉBEC ENACTS AS FOLLOWS:

1. Section 7 of the Act respecting the Conseil supérieur de l'éducation (R.S.Q., chapter C-60) is amended by adding the following sentence at the end of the first paragraph: "The Deputy Minister may designate a substitute."

2. Section 36 of the Education Act (R.S.Q., chapter I-13.3) is amended by replacing the third paragraph by the following paragraph:

"A school shall pursue its mission within the framework of an educational project implemented by means of a success plan."

3. The said Act is amended by inserting the following section after section 36:

"36.1. The educational project shall be defined, implemented and periodically evaluated with the participation of the students, the parents, the principal, the teachers and other school staff members, representatives of the community and the school board."

4. Section 37 of the said Act is amended

(1) by replacing "the means by which the educational project is to be implemented and evaluated" in the second and third lines of the first paragraph by "objectives for improving student success. It may include actions to promote those aims and objectives and integrate them into the life of the school";

(2) by replacing ", and the means by which it is to be implemented," in the first and second lines of the second paragraph by "objectives" and by striking out "to reflect the needs of the students and the priorities of the school" in the fourth and fifth lines of the second paragraph.

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

"37.1. The success plan of a school shall comprise

(1) the measures to be taken based on the aims and objectives of the educational project, in particular, those relating to the supervision of students;

(2) methods for evaluating the implementation of the success plan.

The success plan shall be reviewed each year and updated, if necessary.”

6. Section 74 of the said Act is amended

(1) by inserting “shall analyze the situation prevailing at the school, principally the needs of the students, the challenges tied to student success and the characteristics and expectations of the community served by the school. Based on the analysis and the strategic plan of the school board, the governing board” after “board” in the first line of the first paragraph;

(2) by adding “periodically” before “evaluate” in the last line of the first paragraph;

(3) by striking out “academic” in the fourth line of the third paragraph.

7. Section 75 of the said Act is amended

(1) by replacing “the student supervision policy proposed” in the first and second lines of the first paragraph by “the school’s success plan, and any updated version of the plan, proposed”;

(2) by striking out the second paragraph.

8. Section 83 of the said Act is replaced by the following section :

“83. Each year, the governing board shall inform the parents and the community served by the school of the services provided by the school and report on the level of quality of such services.

The governing board shall make public the educational project and the success plan of the school.

Each year, the governing board shall report on the evaluation of the implementation of the success plan.

A document explaining the educational project and reporting on the evaluation of the implementation of the success plan shall be distributed to the parents and the school staff. The governing board shall see to it that the wording of the document is clear and accessible.”

9. Section 96.2 of the said Act is amended by striking out “academic” in the fourth line.

10. Section 96.6 of the said Act is amended by striking out “academic” in the third line of the first paragraph.

11. Section 96.13 of the said Act is amended

(1) by inserting “the analysis of the situation prevailing at the school and” after “coordinate” in the first line of subparagraph 1 of the first paragraph;

(2) by inserting the following subparagraph after subparagraph 1 of the first paragraph:

“(1.1) coordinate the development, the review and any updating of the school’s success plan;”;

(3) by inserting the following subparagraph after subparagraph 2 of the first paragraph:

“(2.1) ensure that the governing board is provided all necessary information before approving the proposals made under this chapter;”;

(4) by striking out “academic” in the third line of subparagraph 3 of the first paragraph.

12. Section 96.25 of the said Act is amended by inserting “strategic plan,” after “defining the” in the first line.

13. Section 97 of the said Act is amended by inserting the following paragraph after the second paragraph:

“Centres shall pursue their mission within the framework of the policies and the objectives determined pursuant to section 109 and implemented by means of a success plan.”

14. The said Act is amended by inserting the following section after section 97:

“97.1. The success plan of the centre shall comprise

(1) the measures to be taken based on the policies and objectives determined under section 109;

(2) methods for evaluating the implementation of the success plan.

The success plan shall be reviewed each year and updated, if necessary.”

15. The said Act is amended by inserting the following section after section 107:

“107.1. A majority of the members in office is a quorum of the governing board.”

16. Section 108 of the said Act is amended by inserting “60 and 62 to” after “57 to” in the first line.

17. Section 109 of the said Act is amended

(1) by replacing “determine, oversee the implementation of and evaluate periodically the policies and action plan of the centre” in the first and second lines of the first paragraph by “analyze the situation prevailing at the centre, particularly the challenges tied to student success and the characteristics and expectations of the community served by the centre. Based on the analysis and the strategic plan of the school board, the governing board shall determine, oversee the implementation of and periodically evaluate the centre’s specific policies and objectives for improving student success”;

(2) by adding the following sentence at the end of the first paragraph: “The governing board may also determine actions to promote those policies and integrate them into the life of the centre.”

18. The said Act is amended by inserting the following section after section 109:

“**109.1.** The governing board is responsible for approving the centre’s success plan, and any updated version of the plan, proposed by the principal.

The proposals shall be developed in collaboration with the staff of the centre.

The collaboration procedure shall be established by the persons concerned at general meetings called for that purpose by the principal or, failing that, shall be determined by the principal.”

19. The said Act is amended by inserting the following section after section 110.3:

“**110.3.1.** Each year, the governing board shall inform the community served by the centre of the services provided by the centre and report on the level of quality of such services.

The governing board shall make public the policies, objectives and success plan of the centre.

Each year, the governing board shall report on the evaluation of the implementation of the success plan.

A document explaining the policies and objectives of the centre and reporting on the evaluation of the implementation of the success plan shall be distributed to the students and the staff. The governing board shall see to it that the wording of the document is clear and accessible.”

20. Section 110.4 of the said Act is amended by replacing “83” in the first line by “82”.

21. Section 110.10 of the said Act is amended

(1) by inserting “the analysis of the situation prevailing at the centre and” after “coordinate” in the first line of subparagraph 1 of the first paragraph and by replacing “centre’s action plan” in the second line of that subparagraph by “objectives of the centre”;

(2) by inserting the following subparagraph after subparagraph 1 of the first paragraph:

“(1.1) coordinate the development, the review and any updating of the centre’s success plan;”;

(3) by inserting the following subparagraph after subparagraph 2 of the first paragraph:

“(2.1) ensure that the governing board is provided all necessary information before approving the proposals made under this chapter.”

22. Section 169 of the said Act is amended by inserting the following paragraph after the second paragraph:

“The requirement that commissioners be physically present shall not, however, prevent a meeting from being held if the majority of the commissioners participating in the meeting consent to any commissioner participating and voting by videoconference. A commissioner may only exercise such a right if the director general and the chairman are present at the place where the council meeting is held.”

23. Section 193 of the said Act is amended by inserting the following paragraph after paragraph 1:

“(1.1) the school board’s strategic plan and any updated version of the strategic plan;”.

24. The said Act is amended by inserting the following section after section 209:

“209.1. For the exercise of its functions and powers, every school board shall adopt a strategic plan covering a period of several years stating

(1) the context in which it acts, particularly the needs of its schools and centres, and the characteristics and expectations of the community it serves;

(2) the main challenges it faces, including success issues, in line with the national indicators established by the Minister pursuant to section 459.1;

(3) strategic directions and objectives in line with the directions and objectives of the strategic plan established by the Ministère de l’Éducation;

- (4) the lines of intervention selected for the achievement of the objectives ;
- (5) the results targeted over the period covered by the plan ; and
- (6) methods for assessing the achievement of objectives.

The school board's strategic plan shall be reviewed at intervals determined by the school board and updated, if necessary.

Every school board shall send a copy of its strategic plan and, where applicable, its updated plan to the Minister and shall make them public."

25. Section 218 of the said Act is amended

(1) by replacing "accomplishment" in the first line by "implementation, by means of the success plan,";

(2) by inserting "et des objectifs" after "orientations" in the second line of the French text.

26. Section 220 of the said Act is replaced by the following section :

"220. Every school board shall inform the population in its territory of the educational and cultural services provided by the school board and report on the level of quality of such services.

Every school board shall prepare an annual report giving the population in the territory an account of the implementation of its strategic plan.

The report shall also give an account to the Minister of the results obtained with regard to the directions and objectives of the strategic plan established by the Ministère de l'Éducation.

A copy of the report shall be sent to the Minister."

27. The said Act is amended by inserting the following section after section 221 :

"221.1. The school board shall ensure, without encroaching upon the functions and powers conferred on schools, that each school has adopted an educational project to be implemented by means of a success plan."

28. The said Act is amended by inserting the following section after section 245 :

"245.1. The school board shall ensure, without encroaching upon the functions and powers conferred on centres, that each centre has adopted policies and objectives to be implemented by means of a success plan."

29. The said Act is amended by inserting the following section after section 459:

“**459.1.** After consultation with the school boards, the Minister shall establish national indicators and make them available to all school boards, particularly so that they may define, in their strategic plans, the main challenges they face.”

30. Sections 2 to 14, 17 to 21 and 23 to 29 only apply for the purposes of the school year 2003-2004 and subsequent school years.

31. This Act comes into force on 18 December 2002.