

Draft Regulation

Education Act
(R.S.Q., c. I-13.3; 2002, c. 63 and 75)

Teaching licences — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting teaching licences, the text of which appears below, may be made by the Minister of Education on the expiry of 45 days following this publication.

The purpose of the Regulation is to introduce provisions into the Regulation respecting teaching licences that pertain to the criminal background of a person who applies for the issuance or renewal of a teaching licence. The Regulation prescribes that no teaching licence shall be issued or renewed to a person who has been convicted of an offence listed in Schedule III.1 attached to the Regulation or of an equivalent offence or an offence of a like nature outside Québec, unless the person has been granted a pardon.

The Regulation will have no negative impact on small and medium-sized businesses.

Further information may be obtained by contacting Mireille Godard-Dubois, ministère de l'Éducation, Direction générale des relations du travail, 150, boulevard René-Lévesque Est, 17^e étage, Québec (Québec) G1R 5X1; telephone: (418) 644-6274; fax: (418) 643-7926; email: mireille.godard-dubois@meq.gouv.qc.ca.

Any interested person having comments to make on the matter is asked to send them in writing, before the expiry of the 45-day period, to the Minister of Education, 1035, rue De La Chevrotière, 16^e étage, Québec (Québec) G1R 5A5.

Québec, 6 April 2004

PIERRE REID,
Minister of Education

Regulation to amend the Regulation respecting teaching licences*

Education Act
(R.S.Q., c. I-13.3, s. 456)

1. Section 3 of the Regulation respecting teaching licences is amended by adding the following paragraph:

“No teaching licence shall be issued or renewed to a person who has been convicted of an offence listed in Schedule III.1 or of an equivalent offence or an offence of a like nature outside Québec, unless the person has been granted a pardon.”.

2. Section 26 is amended by inserting the following after subparagraph 5:

“(5.1) the declaration in Schedule V;”.

3. The Regulation is amended by inserting Schedule III.1 attached to this Regulation after Schedule III.

4. The Regulation is amended by adding Schedule V attached to this Regulation after Schedule IV.

5. This Regulation comes into force on the fifteenth day following the date of its publication in the *Gazette officielle du Québec*.

SCHEDULE III.1

(s. 3)

OFFENCES PREVENTING THE ISSUANCE OR RENEWAL OF A TEACHING LICENCE

1. The following provisions of the Criminal Code (R.S.C. 1985, c. C-46) relating to

(1) sexual offences involving children committed outside Canada under section 7(4.1);

(2) offences against public order under sections 75 to 82;

(3) terrorism under sections 83.02 to 83.04 and 83.18 to 83.23;

(4) firearms and other weapons under sections 85, 86(1), 87 to 96 and 99 to 108;

* The Regulation respecting teaching licences, made by Order of the Minister of Education dated 19 August 1997 (1997, *G.O.* 2, 4399), was last amended by the regulation made by Order of the Minister of Education dated 12 June 2000 (2000, *G.O.* 2, 2664).

(5) sexual offences, offences against public morals and disorderly conduct under sections 151 to 153.1, 155, 160, 161(4), 163, 163.1, 167, 168, 170 to 174, 175(1)*b* and 179(1)*b*;

(6) common bawdy-houses, procuring and other offences in relation to prostitution under sections 210 to 213;

(7) offences against the person under sections 215, 218 to 222, 229, 233, 234, 238 to 246, 264, 264.1, 266 to 273, 273.3, 279 to 283, 318 and 319;

(8) offences against property under sections 343 and 346; and

(9) attempts, conspiracies and accessories under sections 463 to 465, where they relate to offences referred to in this section.

2. The provisions relating to certain drugs and other substances under sections 5 to 7 of the Controlled Drugs and Substances Act (S.C. 1996, c. 19).

3. The provisions relating to offences that may endanger the security or development of a child under section 135 of the Youth Protection Act (R.S.Q., c. P-34.1) or section 136 of the Youth Criminal Justice Act (S.C. 2002, c. 1).

4. The offences of the same nature as those referred to in this Schedule under other former or subsequent legislative provisions.

SCHEDULE V

(s. 26)

DECLARATION

I, (*name*) _____, residing at (*address*) _____, have not been indicted for an offence referred to in the second paragraph of section 3 of the Regulation respecting teaching licences and have not been convicted of such an offence or if I have been convicted of such an offence I have been granted a pardon.

or

I, (*name*) _____, residing at (*address*) _____, was indicted on (*date*) _____ for the following offence: _____, referred to in the second paragraph of section 3 of the Regulation respecting teaching licences.

or

I, (*name*) _____, residing at (*address*) _____, was convicted on (*date*) _____ of the following offence: _____, referred to in the second paragraph of section 3 of the Regulation respecting teaching licences, and was sentenced to: _____ in file No. _____ of the (*name of the court*) _____ in the judicial district of _____ in the Province or State of _____.

I certify that the information given in this declaration is accurate and complete and I undertake to report to the Minister of Education any change that would modify this declaration.

Name in block letters Date of birth

Signature Date

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Draft Regulation

Education Act
(R.S.Q., c. I-13.3; 2002, c. 63 and 75)

Teaching permits and teaching diplomas — Amendments

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1), that the Regulation to amend the Regulation respecting teaching permits and teaching diplomas, the text of which appears below, may be made by the Minister of Education on the expiry of 45 days following this publication.

The purpose of the Regulation is to introduce provisions into the Regulation respecting teaching permits and teaching diplomas that pertain to the criminal background of a person who applies for the issuance or renewal of a teaching permit or a teaching diploma. The Regulation prescribes that no teaching permit or teaching diploma shall be issued or renewed to a person who has been convicted of an offence listed in Schedule C attached to the Regulation or of an equivalent offence or an offence of a like nature outside Québec, unless the person has been granted a pardon.