

## Regulations and other Acts

### M.O., 2010

#### Order of the Minister of Education, Recreation and Sports dated 11 July 2010

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

CONCERNING the Regulation to amend the Regulation respecting teaching licences

THE MINISTER OF EDUCATION, RECREATION AND SPORTS,

CONSIDERING section 456 of the Education Act (R.S.Q., c. I-13.3), which allows the Minister of Education, Recreation and Sports to establish, by regulation, a classification of teaching licences, the nature and term of such licences, and the requirements and procedure applicable to their issuance or renewal, as the case may be, including the documents and information to be furnished;

CONSIDERING the publication of a draft Regulation to amend the Regulation respecting teaching licences in Part 2 of the *Gazette officielle du Québec* of 10 March 2010, in accordance with sections 10 and 11 of the Regulations Act (R.S.Q., c. R-18.1) with a notice that it could be made on the expiry of 45 days following that publication;

CONSIDERING that the draft Regulation was submitted before passage to the Conseil supérieur de l'éducation for preliminary examination in accordance with section 458 of the Education Act;

CONSIDERING that the 45-day period required by law has expired;

CONSIDERING that it is expedient to make the above-mentioned draft Regulation with amendments;

ORDERS AS FOLLOWS:

The Regulation to amend the Regulation respecting teaching licences, attached to this Minister's Order, is hereby made.

Québec, 11 July 2010

MICHELLE COURCHESNE,  
*Minister of Education,  
Recreation and Sports*

#### Regulation to amend the Regulation respecting teaching licences

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

**1.** The Regulation respecting teaching licences (R.R.Q., c. I-13.3, r. 2) is amended in section 1 by inserting “in general education” after “provisional teaching authorizations”.

**2.** The following is inserted after section 1:

“**1.1.** To be recognized for the purposes of this Regulation, training must successfully have been completed in an institution that is a member of the Association of Universities and Colleges of Canada or be recognized by the competent authority of a Canadian province or territory, or of a State.”

**3.** Section 2 is amended

(1) by replacing the part preceding the second paragraph by the following:

“A teaching diploma may be issued only to a person who is a Canadian citizen within the meaning of the Citizenship Act (R.S.C. 1985, c. C-29) or a permanent resident within the meaning of the Immigration and Refugee Protection Act (S.C. 2001, c. 27).

The other teaching licences may be issued or renewed to a person who also meets any of the following conditions:”;

(2) by striking out the last two paragraphs.

**4.** Section 2.1 is amended

(1) by replacing “, valid for 2 years,” in the first paragraph by “in general education”;

(2) by adding “comprising 60 credits” at the end of the first paragraph;

(3) by striking out the last paragraph.

**5.** Section 3 is amended

(1) by replacing “Québec by the competent authority of the province, territory or” in paragraph 2 by “Canada, by the competent authority of the”;

(2) by inserting “subject to conditions” after “teaching licence” in paragraph 3;

(3) by striking out “and has obtained a bachelor’s degree” at the end of paragraph 3;

(4) by replacing paragraph 4 by the following:

“(4) holds a teaching licence issued outside Canada by the competent authority of the State in which the person received training in education and, on that basis, obtained a teaching licence subject to conditions, issued in Canada, outside Québec, by the competent authority of the province or territory;

(5) holds a bachelor’s or master’s degree listed in Schedule II and is not a Canadian citizen or a permanent resident.”.

**6.** Section 4 is amended by inserting “or an equivalent program in Canada, outside Québec, leading to a teaching licence subject to conditions” after the figure “III” at the end of the first sentence.

**7.** Section 5 is amended by inserting “or master’s” after “bachelor’s”.

**8.** Section 6 is amended

(1) by striking out “, outside Canada,” in the operative part of paragraph 2;

(2) by replacing paragraphs 3 and 4 by the following:

“(3) holds a teaching licence not subject to conditions, obtained in Canada, outside Québec by the competent authority of the province or territory in which the person received training in education;

(4) holds a teaching licence issued outside Canada by the competent authority of the State in which the person received training in education and, on that basis, obtained a teaching licence not subject to conditions, issued in Canada, outside Québec, by the competent authority of the province or territory; or

(5) has obtained a teaching permit after having met the requirements of paragraph 3 or 4 of section 3 and

(a) has successfully completed the probationary period, if the teaching permit provides that the issue of a teaching diploma is conditional on the successful completion of a probationary period;

(b) has met the requirements of subparagraphs a and b of paragraph 2 of this section, if the teaching permit provides that the issue of a teaching diploma is conditional on the successful completion of additional training.”.

**9.** Section 7 is replaced by the following:

“7. A teaching diploma may be issued

(1) to the holder of a teaching permit issued pursuant to section 4 who

(a) has successfully completed the probationary period, if the teaching permit provides that the issue of a teaching diploma is conditional on the successful completion of a probationary period;

(b) meets the requirements of subparagraphs a and b of paragraph 2 of section 6, if the teaching permit provides that the issue of a teaching diploma is conditional on the successful completion of additional training;

(2) to a person who has successfully completed a training program listed in Schedule III and the probationary period;

(3) to a person who has successfully completed the Kativik-McGill University teacher training program comprising 60 credits; or

(4) to the holder of a teaching licence not subject to conditions, issued in Canada, outside Québec, who has successfully completed a teacher training program equivalent to those listed in Schedule III.

The holder of a teaching diploma issued pursuant to subparagraph 1, 2 or 4 may teach only in an institution of the Cree School Board or Kativik School Board.

The holder of a teaching diploma issued pursuant to subparagraph 3 may teach only in an institution of the Kativik School Board.”.

**10.** Section 8 is amended by inserting “and that the position may be filled only by the holder of a teaching licence” after “licence is required” at the end of paragraph 2.

**11.** Section 10 is amended by replacing “42” by “45”.

**12.** The following is inserted after section 10:

“10.1. A teaching authorization for vocational training may also be issued to a person who is not a Canadian citizen or a permanent resident, who holds a bachelor’s degree listed in Schedule V and who meets the requirements of paragraphs 1 and 3 of section 8.”.

**13.** Section 11 is amended by replacing “Québec by the competent authority of the province, territory or” by “Canada by the competent authority of the”

**14.** The following is inserted after section 11:

“**11.1.** A teaching permit may be issued to the holder of a teaching licence subject to conditions, issued in Canada, outside Québec, by the competent authority of the province or territory in which the holder received training in education, who meets the requirements of paragraphs 1 and 3 of section 8.

**11.2.** A teaching permit may be issued to the holder of a teaching licence subject to conditions, issued in Canada, outside Québec, by the competent authority of the province or territory concerned and obtained on the basis of a teaching licence issued outside Canada by the competent authority of the State in which the person received training in education; the person must also meet the requirements of paragraphs 1 and 3 of section 8.”

**15.** Section 13 is amended by adding the following paragraphs at the end:

“(3) has obtained a teaching permit after meeting the requirements of section 11.1 or 11.2 and has successfully completed

(a) the probationary period, if the permit provides that the issue of a teaching diploma is conditional on the successful completion of a probationary period; and

(b) a course on the school system of Québec offered as part of a university teacher training program listed in Schedule V or an equivalent course given by Télé-université du Québec, if the permit provides that the issue of a diploma is conditional on the successful completion of an equivalent course on the school system of the province or territory concerned; or

(4) holds a teaching licence not subject to conditions, issued in Canada, outside Québec, by the competent authority of the province or territory in which the person received training in education and meets the requirements of paragraphs 1 and 3 of section 8;

(5) holds a teaching licence issued outside Canada by the competent authority of the State in which the person received training in education and, on that basis, obtained a teaching licence subject to conditions, issued in Canada, outside Québec, by the competent authority of the province or territory, and meets the requirements of subparagraphs *a* and *b* of paragraph 3, and paragraphs 1 and 3 of section 8.”

**16.** Section 26 is amended by adding the following sentence at the end:

“The Minister informs the person who was holding the expired permit or provisional teaching authorization of its expiry, and the person’s employer.”

**17.** The following is inserted after section 26:

“**26.1.** Subject to section 32, the holder of a teaching permit issued on the basis of a teaching licence obtained outside Québec may not obtain a teaching diploma pursuant to an interprovincial or international agreement on labour mobility to which Québec is a party, if the permit holder has failed the probationary period or, as the case may be, the second probationary period.”

**18.** The following is inserted after section 28:

“**28.1.** A teaching diploma may not be issued, pursuant to an interprovincial or international agreement on labour mobility to which Québec is a party, to the holder of a teaching permit issued on the basis of a teaching licence issued outside Québec, unless the person has passed the examination provided for in section 28.”

**19.** The following is inserted after the heading “TERM OF TEACHING LICENCES” in Division II of Chapter II:

“**28.2.** A provisional teaching authorization in general education is valid for 2 school years from the beginning of the school year in which it is issued.”

**20.** The following is inserted after section 29:

“**29.1.** A provisional teaching authorization expires as soon as the holder is expelled from a required teacher training program or fails a second period of practical training included in that program.”

**21.** The following is inserted after the heading “TEACHING LICENCES REQUIRING TEACHER TRAINING IN GENERAL EDUCATION” in Division II of Chapter III:

“**33.1.** A provisional teaching authorization issued under section 2.1 may be renewed for 2-year periods if its holder has earned at least 12 additional credits in the program referred to in that section before each renewal.”

**22.** Section 34 is amended

(1) by inserting “or 5” after “paragraph 1” in the first paragraph;

(2) by replacing “1 year” in the second paragraph by “1-year periods”.

**23.** Section 35 is amended by replacing “paragraph 2 or 3” by “paragraph 2”.

**24.** Section 36 is replaced by the following:

“**36.** A teaching permit issued under paragraph 3 or 4 of section 3 may be renewed for 5-year periods if the holder

(1) has earned at least 12 credits in education in a teacher training program listed in Schedule II directly related to the program underlying the permit, including at least 6 credits in didactics, at least 3 credits in evaluation of learning achievement and at least 3 credits in intervention with handicapped students or students with social maladjustments or learning disabilities, if the permit provides that the issue of a teaching diploma is conditional on that number of credits;

(2) has successfully completed a course on the school system of Québec offered as part of a university teacher training program listed in Schedule V or an equivalent course given by Télé-université du Québec, if the permit provides that the issue of a teaching diploma is conditional on the successful completion of that course.

However, the renewal period is limited to 1-year periods if the holder must serve a second probationary period, provided that the holder has earned, before each renewal, in a Québec university, at least 6 of the credits referred to in subparagraph 1 of the first paragraph.”

**25.** Section 38 is amended by inserting “issued pursuant to section 9 or 10” after “teaching authorization for vocational training” in the part preceding paragraph 1.

**26.** The following is inserted after section 38:

“**38.1.** A teaching authorization for vocational training issued pursuant to section 10.1 may be renewed for 5-year periods.”

**27.** Section 39 is amended by replacing “section 11” by “section 11, 11.1 or 11.2”.

**28.** Section 40 is amended

(1) by striking out “and the person’s valid selection certificate issued under the Act respecting immigration to Québec (R.S.Q., c. I-0.2)” in subparagraph *b* of paragraph 4;

(2) by striking out “and the person’s valid selection certificate issued under the Act respecting immigration to Québec” in subparagraphs *c* and *d* of paragraph 4;

(3) by replacing paragraph 9 by the following:

“(9) in the case of an application for the issue of a teaching permit or teaching diploma by the holder of a teaching licence issued outside Québec, a certified copy of the person’s transcript and diplomas on the basis of which the person’s teaching licence was issued, a certified copy of that teaching licence and a document attesting to its validity and any conditions and limits attached to it;”;

(4) by striking out paragraph 10;

(5) by replacing “paragraph 11 or 12” in paragraph 13 by “paragraph 9, 11 or 12”.

**29.** The following is inserted after section 41:

“**41.1.** The information and documents provided pursuant to sections 40 and 41 and written in a language other than French or English must be accompanied by their French or English translation. The translation must be attested to by a certified translator.”

**30.** Section 42 is amended by replacing paragraphs 4, 5 and 6 by the following:

“(4) the language in which the holder has passed the examination provided for in section 27 or 28;

(5) in the case of a teaching licence requiring teacher training in general education,

(a) the title of the training program on which the teaching licence is based, unless it was issued on the basis of a teaching licence issued by a competent authority in Canada, outside Québec, in which case, the teaching licence must state the title of the teacher training program equivalent, if applicable, to the programs provided for in Schedule II;

(b) the name of the Québec university or, if the training was received outside Québec, the name of the province, territory or State in which the program was successfully completed, except in the case of a provisional teaching authorization;

(6) in the case of a teaching licence requiring teacher training in vocational training,

(a) the name of the sector of activities listed in Schedule IV that relates to the training program in support of the licence, unless the licence was issued on the basis of a teaching licence issued by a competent authority in Canada, outside Québec, in which case, the teaching licence must state the name of a sector of activities equivalent, if applicable, to the sectors provided for in Schedule IV;

(b) the name of the Québec university or the province, territory or State in which the program was successfully completed, except in the case of a provisional teaching authorization;”.

**31.** The following is inserted after section 44:

“**44.1.** A teaching permit issued under paragraph 2 or 3 of section 3 or section 11 before 12 August 2010, on the basis of a teaching licence issued in Canada, outside Québec, may, to be renewed or converted into a teaching diploma as the holder may choose, remain subject to the provisions applicable upon its issue or be subject to the provisions applicable as of 12 August 2010.”.

**32.** Section 45 is struck out.

**33.** Section 46 is amended

(1) by replacing “Despite section 1, until 30 September 2012” at the beginning of the part preceding paragraph 1 by “Until 30 September 2016”;

(2) by replacing “in 1 or 2” in subparagraph *a* of paragraph 1 by “in not more than 2”;

(3) by replacing “special education teaching” in subparagraph *b* of paragraph 1 by “education, concentration in special education”;

(4) by adding “and that the position may be filled only by the holder of a teaching licence” at the end of paragraph 2.

**34.** Section 48 is amended

(1) by replacing “Despite section 1, until 30 September 2012” at the beginning of the part preceding paragraph 1 by “Until 30 September 2016”;

(2) by adding “and that the position may be filled only by the holder of a teaching licence” at the end of paragraph 2.

**35.** Section 49 is amended

(1) by inserting “or 48” after “section 46”;

(2) by replacing “that section” at the end by “the section concerned”.

**36.** Section 50 is amended

(1) by replacing “2012” at the beginning by “2016”;

(2) by replacing “in 1 or 2” in paragraph 1 by “in no more than 2”;

(3) by inserting “and that the position may be filled only by the holder of a teaching licence” after “licence is required” at the end of paragraph 2.

**37.** Section 65 is amended

(1) by replacing “2012” at the beginning by “2016”;

(2) by inserting “and that the position may be filled only by the holder of a teaching licence” after “licence is required” at the end of paragraph 3.

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

9989