

Regulations and other Acts

Gouvernement du Québec

O.C. 828-2015, 23 September 2015

Education Act
(chapter I-13.3)

Agreements entered into by school boards with respect to collaboration with police forces for prevention and investigation purposes and interventions by police officers in an emergency or when an act of bullying or violence is reported

Regulation respecting agreements entered into by school boards with respect to collaboration with police forces for prevention and investigation purposes and interventions by police officers in an emergency or when an act of bullying or violence is reported

WHEREAS, under section 214.1 of the Education Act (chapter I-13.3), the Government may, by regulation, determine the essential elements and the special stipulations that must be included in the agreement entered into by school boards with respect to collaboration with police forces for prevention and investigation purposes and interventions by police officers in an emergency or when an act of bullying or violence is reported;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation respecting agreements entered into by school boards with respect to collaboration with police forces for prevention and investigation purposes and interventions by police officers in an emergency or when an act of bullying or violence is reported was published in Part 2 of the *Gazette officielle du Québec* of 30 December 2014 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS comments have been made and it is expedient to make the Regulation with amendments;

IT IS ORDERED, therefore, on the recommendation of the Minister of Education, Higher Education and Research:

THAT the Regulation respecting agreements entered into by school boards with respect to collaboration with police forces for prevention and investigation purposes and interventions by police officers in an emergency or when an act of bullying or violence is reported, attached to this Order in Council, be made.

JUAN ROBERTO IGLESIAS,
Clerk of the Conseil exécutif

Regulation respecting agreements entered into by school boards with respect to collaboration with police forces for prevention and investigation purposes and interventions by police officers in an emergency or when an act of bullying or violence is reported

Education Act
(chapter I-13.3, s. 214.1)

1. An agreement entered into under section 214.1 of the Education Act (chapter I-13.3) between a school board and a competent authority in respect of a police force in all or part of its territory must include an undertaking by the parties to

(1) promote collaboration, cooperation and reciprocal action to achieve the purposes of the agreement;

(2) provide the information on the contents of the agreement needed to ensure its implementation to the persons concerned within their respective organizations;

(3) complete a joint report, each year, on the implementation of the agreement.

2. The agreement must contain the following essential elements:

(1) the names and addresses of the schools of the school board covered by the agreement;

(2) the term of the agreement, which cannot be less than 3 years nor more than 5 years, and the conditions for its renewal;

(3) the name, position and contact information of the designated representatives of the parties for the implementation of the measures specified in the agreement and for any communication between the parties concerning the application, amendment or renewal of the agreement;

(4) the methods to be used by one party to notify the other party without delay of any change in the name, position or contact information of one of its representatives;

(5) the procedure for amending the agreement;

(6) the signatures of the parties, and the date of each signature.

3. The agreement must establish special stipulations for 3 general intervention contexts: prevention, investigation and emergency.

It must also establish special stipulations for situations where an act of bullying or violence is reported to police officers.

4. In the prevention context, the agreement must contain the following special stipulations:

(1) for the planning of annual prevention activities, an undertaking by the parties to communicate to each other, in writing, at the dates or on the conditions set in the agreement:

i. the needs of the school board, taking into account the situation of each school;

ii. the services and tools likely to meet the schools' needs, based on the expertise and experience of the police force in the field;

(2) the prevention activities that will be carried out annually by the police force, alone or in collaboration with a partner whose expertise has been recognized jointly by the school board and the police force.

5. In the investigation context, the agreement must contain the following special stipulations:

(1) the criteria used to determine situations that may require police investigation;

(2) the roles, responsibilities and procedures to be followed during an investigation conducted by a police force, taking into account the respective mission of each party;

(3) a communications strategy applicable in the context and targeting the parents of students, the members of the school staff, the media and any other person concerned.

6. In the emergency context, the agreement must contain the following special stipulations:

(1) the roles, responsibilities and procedures to be followed when an event occurs that requires an emergency police intervention, taking into account the respective mission of each party and, where applicable, any applicable emergency plan or other mode of intervention;

(2) an undertaking by the parties to conduct a review following an emergency police intervention, focusing on the quality and effectiveness of the collaboration and the intervention;

(3) a communications strategy applicable in the context and targeting the parents of students, the members of the school staff, the media and any other person concerned.

7. The agreement must contain special stipulations for situations where an act of bullying or violence is reported to police officers:

(1) an undertaking by the police force to collaborate with the school authorities concerned, in particular in order to protect students;

(2) the nature or type of information that may be communicated between the parties and the applicable mode of communication in each case;

(3) an undertaking by the parties, if they jointly consider that it is necessary in the circumstances, to agree on actions to take with respect to the reported act of bullying or violence.

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

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Gouvernement du Québec

O.C. 829-2015, 23 September 2015

An Act respecting private education
(chapter E-9.1)

Agreements entered into by private educational institutions with respect to collaboration with police forces for prevention and investigation purposes and interventions by police officers in an emergency or when an act of bullying or violence is reported

Regulation respecting agreements entered into by private educational institutions with respect to collaboration with police forces for prevention and investigation purposes and interventions by police officers in an emergency or when an act of bullying or violence is reported

WHEREAS, under section 63.9 of the Act respecting private education (chapter E-9.1), the Government may, by regulation, determine the essential elements and the special stipulations that must be included in the agreement entered into by private educational institutions with respect to collaboration with police forces for prevention and investigation purposes and interventions by police officers in an emergency or when an act of bullying or violence is reported;