

## Regulations and other Acts

Gouvernement du Québec

### O.C. 1128-2020, 28 October 2020

Education Act  
(chapter I-13.3)

#### **Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year — Amendment**

Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year

WHEREAS, under the first paragraph of section 447 of the Education Act (chapter 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 (chapter I-13.3, r. 8);

WHEREAS, for the purposes of the 2020-2021 school year, the Government made the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year by Order in Council 1028-2020 dated 7 October 2020;

WHEREAS, under subparagraph 1 of the second paragraph of section 447 of the Education Act, the basic school regulation made by the Government relates to the nature and objectives of educational services, including preschool education, instructional services, student services and special educational services as well as the general organizational framework thereof;

WHEREAS, under subparagraph 2 of the third paragraph of section 447 of the Act, the basic school regulation may establish rules respecting the school calendar;

WHEREAS, pursuant to section 458 of the Act, a draft regulation was submitted to the Conseil supérieur de l'éducation for examination;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and took certain measures to protect the health of the population;

WHEREAS, under section 12 of the Regulations Act (chapter R-18.1), a proposed regulation may be made without having been published if the authority making it is of the opinion that the urgency of the situation requires it;

WHEREAS, under section 13 of that Act, the reason justifying the absence of such publication must be published with the regulation;

WHEREAS, under section 18 of that Act, a regulation may come into force on the date of its publication in the *Gazette officielle du Québec* where the authority that has made it is of the opinion that the urgency of the situation requires it, and the reason justifying such coming into force must be published with the regulation;

WHEREAS the Government is of the opinion that the urgency owing to the following circumstances warrants the absence of prior publication and such amendment of the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year:

— the COVID-19 pandemic requires that more and more students receive distance educational services;

— distance educational services involve new methods of instruction and require training and planning by teachers and school organizations;

— consultation and coming into force periods would not allow the addition of days dedicated to training and planning for the teaching staff before January 2021;

— it is necessary to provide as soon as possible time for teachers to take further training on distance educational services and plan the organization of those services given the evolution of the epidemiological situation;

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

THAT the Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2020- 2021 school year, attached to this Order in Council, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## **Regulation to amend the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year**

Education Act  
(chapter I-13.3, s. 447)

**1.** The Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year, made by Order in Council 1028-2020 dated 7 October 2020, is amended by inserting the following before section 1:

“**0.1.** Section 16 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) reads as follows for the 2020-2021 school year:

“**16.** The school calendar for students shall consist of the equivalent of a maximum of 200 days, at least 177 of which must be devoted to educational services.

However, for the students with handicaps and the students living in the low-income areas referred to in the second and third paragraphs of section 12, the school calendar shall consist of the equivalent of a maximum of 200 half-days, at least 177 of which must be devoted to educational services, unless the school board, to the extent and on the conditions determined by the Minister, grants them an exemption.”.

To give effect to the first paragraph, 3 days or half-days devoted to educational services, as the case may be, must be deducted from the school calendar established for the 2020-2021 school year. Not more than 1 day or half-day per month may be deducted.

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

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