

Regulations and other Acts

Gouvernement du Québec

O.C. 1251-2020, 25 November 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 the Amended Basic school regulation was amended by Order in Council 1128-2020 dated 28 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 4 of the third paragraph of section 447 of the Act, the basic school regulation may establish rules on the evaluation of learning achievement and the certification of studies;

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 coming into force of the Amended Basic school regulation for preschool, elementary and secondary education for the 2020-2021 school year:

— the next ministerial examination referred to in section 34 of the Basic school regulation for preschool, elementary and secondary education will take place on 10 December 2020 and the relevant preparatory documents must be sent to students on 3 December 2020;

— the amendment to section 34 must apply to the examination taking place on 10 December 2020 and the preparatory documents must be modified accordingly;

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 and amended by Order in Council 1128-2020 dated 28 October 2020, is amended in section 0.1 by replacing “the school board” in the second paragraph of section 16 of the Basic school regulation for preschool, elementary and secondary education (chapter I-13.3, r. 8) as it reads for the 2020-2021 school year by “the school service centre”.

2. The following is inserted after section 2:

“**2.1.** Section 34 of that Basic school regulation is to be read as follows for that school year:

“**34.** For all programs of studies offered at the secondary level that lead to a Secondary School Diploma, the pass mark is 60%.

For all programs of studies for which the Minister sets an examination, the Minister shall take into account the summative evaluation of the student transmitted by the school service centre in a proportion of 80%, subject to section 470 of the Education Act (chapter I-13.3). The Minister shall then certify success or failure in that program.”.

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

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Gouvernement du Québec

O.C. 1271-2020, 25 November 2020

An Act respecting parental insurance
(chapter A-29.011)

Regulation —Amendment

Regulation to amend the Regulation under the Act respecting parental insurance

WHEREAS the Act mainly to improve the flexibility of the parental insurance plan in order to promote family-work balance (2020, chapter 23) was assented to on 29 October 2020;

WHEREAS, under sections 32 and 34 of the Act, some provisions come into force on the date of assent, on 1 December 2020 and on 1 January 2021;

WHEREAS, under the third paragraph of section 7 and the second paragraph of section 8 of the Act respecting parental insurance (chapter A-29.011), the Conseil de gestion de l'assurance parentale may, by regulation, in the cases and for the time it determines, extend the maternity benefit period;

WHEREAS, under the first paragraph of section 13 of that Act, no benefits under the parental insurance plan are to be granted unless an application is filed, except where an exemption is provided for in a regulation of the Conseil de gestion;

WHEREAS, under the second paragraph of section 16 of that Act, the Conseil de gestion may determine by regulation the conditions on which weeks of benefits are to be divided if there is no agreement between the parents;

WHEREAS, under the second paragraph of section 17.1 of that Act, the Conseil de gestion may, by regulation, determine the conditions governing how the parental insurance plan is to be applied when one of the parents is not resident in Québec at the time an application for benefits under that plan or a plan mentioned in the first paragraph of section 17.1 is filed, and it may, to that end, take into consideration the applicant's place of residence at the beginning of the benefit period or at any other time according to the terms and conditions it determines;

WHEREAS, under section 19 of that Act, the benefits may, on the conditions prescribed in a regulation of the Conseil de gestion, be increased, up to the limit fixed in the regulation, where the income is below the threshold determined in the regulation;