

## Regulations and other Acts

Gouvernement du Québec

**O.C. 644-2018, 30 May 2018**

Education Act  
(chapter I-13.3)

### Homeschooling

#### Homeschooling Regulation

WHEREAS, under the first paragraph of section 448.1 of the Education Act (chapter I-13.3), the Government determines, by regulation, standards for homeschooling;

WHEREAS, under subparagraph 4 of the first paragraph of section 15 of the Education Act, as replaced by section 2 of the Act to amend the Education Act and other legislative provisions concerning mainly free educational services and compulsory school attendance (2017, chapter 23), a student is exempt from compulsory school attendance to receive homeschooling provided that the conditions and procedures determined by government regulation are complied with;

WHEREAS, under the first paragraph of section 36 of the Act to amend the Education Act and other legislative provisions concerning mainly free educational services and compulsory school attendance, the Government must, not later than 1 June 2018, make a first regulation respecting homeschooling;

WHEREAS, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), a draft Homeschooling Regulation was published in Part 2 of the *Gazette officielle du Québec* of 29 March 2018 with a notice that it could be made by the Government on the expiry of 45 days following that publication;

WHEREAS, in accordance with the second paragraph of section 36 of the Act to amend the Education Act and other legislative provisions concerning mainly free educational services and compulsory school attendance, the draft Homeschooling Regulation was examined by the Commission de la culture et de l'éducation of the National Assembly on 12 April 2018;

WHEREAS it is expedient to make the Regulation with amendments;

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

THAT the Homeschooling Regulation, attached to this Order in Council, be made.

ANDRÉ FORTIER,  
*Clerk of the Conseil exécutif*

### Homeschooling Regulation

Education Act  
(chapter I-13.3, s. 15, 1st par., subpar. 4, and s. 448.1)

#### DIVISION I GENERAL

**1.** This Regulation determines certain conditions and procedures to be complied with for a student to be excused from compulsory school attendance in order to receive homeschooling, how the Minister is to monitor the homeschooling and how the school board that has jurisdiction is to support the student.

#### DIVISION II NOTICE

**2.** The notice referred to in subparagraph *a* of subparagraph 4 of the first paragraph of section 15 of the Education Act (chapter I-13.3) must provide

- (1) the student's name, address and date of birth;
- (2) the name, address and telephone number of the student's parents; and
- (3) if applicable, the date on which the student stopped or will stop attending an educational institution and the permanent code assigned to the student by the Ministère de l'Éducation, du Loisir et du Sport.

The notice sent to the Minister must also specify the student's school board and, if different, the school board to which the notice of choice of school board is sent in accordance with the law.

The Minister is to provide a form the parents may use for the purposes of the notice.

**3.** The notice must be sent to the Minister and the school board that has jurisdiction

- (1) on or before 1 July of each year; or
- (2) if the student stops attending an educational institution at any time during a school year, within 10 days of that time.

The Minister acknowledges receipt of the notice in writing within 15 days.

### **DIVISION III** **LEARNING PROJECT**

#### *§1. Form and content of the learning project*

**4.** The student's learning project must

(1) provide for the application of the programs of study established by the Minister under section 461 of the Act, include the activities or content prescribed by the Minister in the broad areas of learning the Minister establishes under that section, and provide for the taking of the examinations imposed by the Minister under the first paragraph of section 463 of the Act and by the school board that has jurisdiction under the second paragraph of section 231 of the Act, on the basis of what would be included in the educational services received by the student if the student were attending a school; or

(2) otherwise consist of varied and stimulating activities conducive to the acquisition of a body of knowledge and skills, including the learning of the French language, another language and mathematics as well as at least one subject belonging to each of the following areas of learning:

- (a) mathematics, science and technology;
- (b) arts;
- (c) human development;
- (d) in the case of a student who is 9 years of age on the date of the beginning of implementation of the learning project, social sciences.

**5.** The parents must send to the Minister a document describing the student's learning project

- (1) on or before 30 September of each year; or
- (2) if the student stops attending an educational institution at any time during a school year, within 30 days of that time.

The document must set forth in particular,

- (1) a description of the chosen educational approach;
- (2) a brief description of the activities chosen to support the learning of the French language, another language and mathematics;
- (3) the other subjects that will be taught and a brief description of the activities chosen for that purpose;
- (4) the other knowledge and skills to be acquired and a brief description of the activities chosen for that purpose;
- (5) the educational resources that will be used;
- (6) an approximate plan of the time to be allocated to the learning activities;
- (7) the names and contact information of every organization that will be contributing to the student's learning and a description of the extent of the contribution;
- (8) how the student's progress is to be evaluated; and
- (9) the last level of educational services received by the student from an educational institution.

**6.** The Minister is to provide assistance to the parents if they so require to develop the learning project.

**7.** The Minister examines the learning project submitted. The parents must send to the Minister any information or document relevant to that examination.

If the learning project does not comply with the applicable conditions and procedures, the Minister is to so inform the parents in writing, giving reasons. The Minister's notice must contain recommendations appropriate to remedying the situation.

The parents must submit a new learning project to the Minister within 30 days after receiving such a notice.

**8.** The Minister may, at the request of the parents of a handicapped student or a student with social maladjustments or learning disabilities, excuse the student from part of the provisions of section 4.

#### *§2. Implementation of the learning project*

**9.** The parents must implement the student's learning project

- (1) on or before 30 September of each year; or
- (2) if the student stops attending an educational institution at any time during a school year, within 30 days of that time.

**10.** The parents may make any change they consider relevant to the learning project submitted.

They must inform the Minister of any substantial change made to the learning project within 15 days.

**11.** The parents must prepare a written status report on the implementation of the learning project and send it to the Minister at a time between the third and fifth month after the beginning of implementation of the learning project.

The report must describe the learning activities completed by subject, the approximate time allocated to them and, if applicable, any change made to the learning project.

Despite the first paragraph, where a student stops attending an educational institution between 1 January and 31 March, the report must be sent not later than 15 June after the beginning of implementation of the learning projects. Where a student stops attending such an institution after 31 March, the report is optional.

**12.** The parents are to attend a monitoring meeting while the student's learning project is being implemented. They may be accompanied by a person of their choice at the meeting.

Such a meeting may be held using any means of communication allowing all participants to immediately communicate with the others.

The Minister must inform the parents in writing of the time and procedure of the meeting at least 15 days before it is to be held.

### *§3. Problem in implementing the learning project*

**13.** If a problem arises in implementing the student's learning project, the parents are to attend a meeting for the purpose of finding a solution to the problem. They may be accompanied by a person of their choice at the meeting.

Such a meeting may be held using any means of communication allowing all participants to immediately communicate with the others.

The Minister must inform the parents in writing of the time and procedure of the meeting at least 15 days before it is to be held.

**14.** The Minister is to provide assistance to the parents if a problem arises in implementing the learning project and submit recommendations to the parents that are conducive to remedying the situation.

## **DIVISION IV** **EVALUATION OF THE STUDENT'S PROGRESS**

**15.** The parents must monitor the student's progress during the learning project using one or more evaluation methods chosen from among the following:

(1) an evaluation by the school board that has jurisdiction, including an examination it imposes under the second paragraph of section 231 of the Act, conducted according to the procedure it determines;

(2) an evaluation by a private educational institution governed by the Act respecting private education (chapter E-9.1), conducted according to the procedure it determines;

(3) an evaluation by a holder of a teaching licence;

(4) an examination imposed by the Minister under the first paragraph of section 463 of the Act and administered by the school board that has jurisdiction; or

(5) a portfolio submitted to the Minister.

Subparagraphs 1 to 3 of the first paragraph may not be construed as restricting the methods of evaluation to those generally used in the school setting, such as summative evaluations.

**16.** The parents are to prepare two written reports on the student's progress and send them to the Minister at the following times:

(1) a mid-term report at a time between the third and fifth month after the beginning of implementation of the learning project; and

(2) a completion report not later than 15 June after the beginning of implementation of the learning project.

Both reports must show the student's learning progress and indicate the evaluations conducted to assess it. If applicable, the portfolio must be sent with the completion report.

Despite the first paragraph, where a student stops attending an educational institution after 31 December, the mid-term report is optional.

Parents may, while complying with the applicable periods, send the report referred to in section 11 and a report on the student's learning progress at the same time and using only one document.

**17.** The Minister examines the reports on the student's learning progress, taking into account the student's ability and learning project. The parents must send to the Minister any information or document relevant to that examination.

If a report does not allow the student's progress to be adequately assessed, the Minister must so inform the parents in writing, giving reasons. The Minister's notice must contain appropriate recommendations to remedy the situation and also mention that a request may be made to the Minister to have the Minister evaluate the student's progress.

Within 30 days after receiving such a notice, the parents must provide the Minister with a new report on the student's progress, or request the Minister to evaluate the student's progress.

**18.** If the student is not making adequate progress, the parents and the student are to attend a meeting intended to more clearly identify the shortcomings and how to deal with them. They may be accompanied by a person of their choice at the meeting.

Such a meeting may be held using any means of communication allowing all participants to immediately communicate with the others.

The Minister must inform the parents in writing of the time and procedure of the meeting at least 15 days before it is to be held.

**19.** The Minister is to ensure that the parents are informed of the standards and procedures for the examinations that may be imposed by the Minister under the first paragraph of section 463 of the Act and for the certification of studies.

#### **DIVISION V** **SCHOOL BOARD SUPPORT**

**20.** The school board that has jurisdiction must provide the student receiving homeschooling, at the request of the parents and on the conditions it determines, with access, free of charge, to the textbooks approved by its school principals under subparagraph 3 of the first paragraph of section 96.15 of the Act that are required for the teaching of a program of studies to be used as part of the student's learning project or a subject within the project. The student is to have personal use of the textbooks.

The school board must also, at the request of the parents, provide the student, subject to availability and on the conditions it determines, with access, free of charge, to

the instructional material that is offered free of charge by the school board to the students within its jurisdiction, is approved by its school principals under subparagraph 3 of the first paragraph of section 96.15 of the Act, and is required for the teaching of a program of studies to be used as part of the student's learning project or a subject within the project.

**21.** The school board that has jurisdiction must provide the student receiving homeschooling, at the request of the parents and on the conditions it determines, with free access to student support services for the use of the documentary resources of the school library, academic and career counselling and information, psychological services, psychoeducational services, special education services, remedial education services and speech therapy services.

Those services are accessible subject to their availability and the needs of the student.

**22.** The school board that has jurisdiction must provide the student receiving homeschooling, subject to availability and on the conditions it determines, with free access to

(1) the library of at least one of its schools and the reference and reading material in it;

(2) the science laboratory of at least one of its schools and the related material and equipment used in the laboratory;

(3) the computer laboratory of at least one of its schools and the related material and equipment used in the laboratory;

(4) the auditorium and art rooms of at least one of its schools and the related material and equipment used in the laboratory; and

(5) the sports and recreational facilities of at least one of its schools and the related material and equipment used in the facilities.

**23.** The school board must take the necessary measures to allow a student receiving homeschooling to sit for any examination the school board imposes under the second paragraph of section 231 of the Act.

The school board must also take the necessary measures to ensure that a student receiving homeschooling and who is eligible to sit for an examination imposed by the Minister under the first paragraph of section 463 of the Act may be present at an examination sitting held in one of its rooms.

The taking of examinations and preparatory activities are free of charge.

**24.** Parents who make a request under section 20 or 21 must provide the school board that has jurisdiction with the student's learning project.

#### **DIVISION VI** TRANSITIONAL AND FINAL

**25.** Despite section 3 of this Regulation, for the year 2018, the date provided for in subparagraph 1 of the first paragraph of that section is deemed to be 1 September.

**26.** This Regulation comes into force on 1 July 2018.

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Gouvernement du Québec

### **O.C. 659-2018, 30 May 2018**

Health Insurance Act  
(chapter A-29)

#### **Forms and statements of fees under the Act** — **Amendment**

CONCERNING the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act

WHEREAS, section 2.0.13 of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), provides that the Régie de l'assurance maladie du Québec (hereinafter "the Board") may require, from every person filing an application under a provision of the Act respecting the Régie de l'assurance maladie du Québec (chapter R-5), the Health Insurance Act (chapter A-29), the Act respecting prescription drug insurance (chapter A-29.01) or their regulations that the person use the appropriate form provided by the Board and that the person provide the information and documents necessary to the processing of the application;

WHEREAS, under subparagraph (b) of the first paragraph of section 72 of the Health Insurance Act, the Board may, by regulation, prescribe the cases in and conditions according to which a mandatary may claim fees from the Board on behalf of a professional in the field of health, the information, and the tenor of the documents pertaining to the claim that the professional must file with the Board and preserve, together with the time for which such documents must be kept;

WHEREAS, under the second paragraph of section 72 of that Act, such a regulation must be approved by the Government before coming into force;

WHEREAS the Board has made the Regulation respecting forms and statements of fees under the Health Insurance Act (chapter A-29, r. 7) and that it has been approved by the Government;

WHEREAS the Board made, on 4 October 2017, by resolution CA-521-17-55, the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act;

WHEREAS, in accordance with sections 10 et 11 of the Regulations Act (chapter R-18.1), a draft of the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act was published in Part 2 of the of the *Gazette officielle du Québec* of 20 December 2017, with notice that it could be submitted for approval by the Government on the expiry of the 45-day period following that publication;

WHEREAS it is expedient to approve this Regulation without any amendments;

IT IS ORDERED therefore, on the recommendation of the Minister of Health and Social Services:

THAT the Regulation to amend the Regulation respecting forms and statements of fees under the Health Insurance Act, attached to this Order in Council, be approved.

ANDRÉ FORTIER,  
*Clerk of the Conseil exécutif*

### **Regulation to amend the Regulation respecting forms and statement of fees under the Health Insurance Act**

Health Insurance Act  
(chapter A-29, s. 72)

**1.** The Regulation respecting forms and statements of fees under the Health Insurance Act (chapter A-29, r. 7) is amended by replacing its title with the following:

“REGULATION RESPECTING THE TERMS AND CONDITIONS FOR THE ISSUANCE OF HEALTH INSURANCE CARDS AND THE TRANSMITTAL OF STATEMENTS OF FEES AND CLAIMS”

**2.** Section 3 of the Regulation is amended:

(1) by deleting subparagraphs *b*, *c*, *d* and *i*;

(2) by replacing subparagraph *g* with the following: