

## Regulations and other Acts

Gouvernement du Québec

### O.C. 547-2020, 27 May 2020

Education Act  
(chapter I-13.3)

#### Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 school year

Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 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) and it is expedient to amend it for the 2019-2020 school year only;

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 subparagraphs 2, 4 and 5 of the third paragraph of section 447 of the Act, the basic school regulation made by the Government may

- establish rules respecting the school calendar;
- establish rules on the evaluation of learning achievement and the certification of studies; and
- determine the diplomas, certificates and other official attestation awarded by the Minister and prescribe the conditions under which they are to be awarded;

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 the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020 and until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020;

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 2019-2020 school year:

— the third term in the school year whose evaluations count for 60% of the student's final mark for the year cannot be held because educational and instructional services have been suspended since 13 March 2020;

— the report card for the third term of the current school year will not be able to be finalized as provided for in the basic school regulation in force;

—the optional nature of the learning activities proposed by the Ministère de l'Éducation et de l'Enseignement supérieur since the suspension of the educational and instructional services and the return to elementary school, on a voluntary basis, make it necessary that the report card and certification of studies requirements be modified and adapted to the current extraordinary situation;

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

THAT the Amended basic school regulation for pre-school, elementary and secondary education for the 2019-2020 school year, attached hereto, be made.

YVES OUELLET,  
*Clerk of the Conseil exécutif*

## Amended basic school regulation for preschool, elementary and secondary education for the 2019-2020 school year

Education Act  
(chapter I-13.3, s. 447, 1st par., 2nd par., subpar. 1 and 3rd par., subpars. 2, 4 and 5)

### DIVISION I GENERAL

**1.** Section 16 of the Basic school regulation for pre-school, elementary and secondary education (chapter I-13.3, r. 8) is to be read as follows for the 2019-2020 school year:

“**16.** The school calendar for students shall consist of the equivalent of a maximum of 200 days, at least 110 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 110 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.”

**2.** Section 18.2 is to be read as follows for that school year:

“**18.2.** For students in elementary school and students in the first cycle of secondary school, the school calendar must consist of at least 440 hours devoted to the instruction of the compulsory subjects provided for in section 22 or 23, as the case may be.

For students in the second cycle of secondary school, the calendar must consist of at least 396 hours devoted to the instruction of the subjects provided for in section 23.1 and the elective subjects appearing on the list drawn up by the Minister under the Act.”

**3.** Subject to sections 33 and 33.1, the prescribed times set out in the tables in sections 23.4 and 23.5 of the basic school regulation May be adjusted according to the number of days in the school calendar applying for that school year.

**4.** Section 26 is to be read as follows for that school year:

“**26.** Schools provide 14 hours of instructional services for each of the credits assigned for a program of studies, unless the compulsory objectives and contents of the program May be achieved within less time.”

**5.** Division VII of Chapter II and Chapter III are to be read as follows for that school year:

### “DIVISION VII EVALUATION OF LEARNING

**28.** Evaluation is the process whereby a judgment is made on a student’s learning, that is, knowledge and competencies in each subject area, on the basis of information gathered, analyzed and interpreted, for the purpose of making pedagogical and, where appropriate, administrative decisions.

A decision to promote a student to the next cycle shall be based on the student’s last report card of the last school year and on the rules governing promotion established by the school or the school board, according to their respective responsibilities.

In the second cycle of the secondary level, the promotion of a student to the next year shall be by subject in the case of a student taking the general education path or the applied general education path.

**29.** In order to inform a student’s parents of the student’s learning and behaviour, the school provides one written communication, other than a report card, to the parents no later than 15 October. If the student is of full age, the communication is provided to the student.

**29.1.** In order to inform a student’s parents of the student’s academic progress, the school provides a report card to the parents at the end of each of the 3 terms, in the form prescribed by Schedules IV to VII. If the student is of full age, the report cards are provided to the student.

Those report cards are provided no later than 20 November for the first term, 15 March for the second term and 10 July for the third term.

**29.2.** At least once a month until 13 March 2020 inclusively and as needed thereafter, information is provided to the parents of a minor in the following cases:

(1) the student's results put him or her at risk of not obtaining the pass mark for the programs of studies or, for a child in preschool education, when the child's progress indicates that he or she will not be ready to proceed to the first year of elementary school at the beginning of the following school year;

(2) the student's behaviour does not comply with the school's rules of conduct; or

(3) an individualized education plan providing for the information was prepared for the student.

The information is intended to foster collaboration between the parents and the school in correcting learning difficulties and behavioural problems as soon as they appear and, in some cases, in implementing an individualized education plan.

**30.** The report card for preschool education must be consistent with the report card in Schedule IV and contain all the information shown in sections 1 and 2 of the Schedule and, if it is the last report card for the school year, the information shown in section 4 of the Schedule.

The results shown in section 2 of the report card must indicate the status of the development of the competencies in the Preschool Education program, if the competencies have been evaluated, or, if it is the last report card for the school year, a report on the level of development achieved by the student for each competency in the Preschool Education program.

**30.1.** The report cards for elementary education, the first cycle of secondary education and the first year of the second cycle of secondary education must be consistent with the report cards in Schedules V to VII, as applicable.

For the first and second terms, the report cards must contain all the information shown in sections 1 to 3 of the Schedule. A student's results expressed as a percentage in section 2 of the report cards must include

(1) a detailed result per competency for the language of instruction, second language and mathematics subjects;

(2) a detailed result per component, theory and practical, for compulsory and elective science subjects, other than mathematics, such as science and technology and applied science and technology; and

(3) a subject mark for each subject taught and the group average.

At the end of the first 2 terms of the school year, the detailed results, for the subjects for which such results are required, are detailed only for the competencies or components that have been evaluated.

For the third term, a student's results in section 2 of the report cards are shown as Pass (P), No Pass (NP) or Not Evaluated (NE).

At the end of the school year, the student's final subject mark for each subject is produced. To do so, the teacher takes into consideration the results of the first and second terms and, if applicable, any evaluation conducted up to 13 March 2020 inclusively and any observation made of the student before or after that date, to determine whether the student passes each of the subjects.

The last report card of the school year shows the student's final subject mark for each subject as Pass (P) or No Pass (NP) in the column "Final mark" in section 2 and, as applicable, the decision as to the student's academic progress in section 5.

In secondary education, the credits earned for each subject passed are also indicated.

**30.1.1.** The report cards for the second and third years of the second cycle of secondary education must be consistent with the report card in Schedule VII.

For the first and second terms, the report cards must contain all the information shown in sections 1 to 3 of the Schedule. A student's results expressed as a percentage in section 2 of the report cards must include

(1) a detailed result per competency for the language of instruction, second language and mathematics subjects;

(2) a detailed result per component, theory and practical, for compulsory and elective science subjects, other than mathematics, such as science and technology and applied science and technology; and

(3) a subject mark for each subject taught and the group average.

At the end of the first 2 terms of the school year, the detailed results, for the subjects for which such results are required, are detailed only for the competencies or components that have been evaluated.

For the third term, a student's results in section 2 of the report cards are shown as Pass (P), No Pass (NP) or Not Evaluated (NE).

At the end of the school year, the student's result for the competencies or components of the programs of studies for the subjects in subparagraphs 1 and 2 of the second paragraph as well as, for each subject taught, the student's subject mark and the group average are produced, expressed as a percentage. To do so, the teacher takes into consideration the results of the first and second terms and, if applicable, any evaluation conducted up to 13 March 2020 inclusively and any observation made of the student before or after that date, to determine whether the student passes each of the subjects.

The last report card of the school year also includes the student's final mark, expressed as a percentage, for the competencies or components of the programs of studies established by the Minister for the subjects in subparagraphs 1 and 2 of the second paragraph as well as the student's final subject mark, expressed as a percentage, and the final group average for each subject taught. The teacher may, based on the evaluations conducted after the second term and observations made of the student, modify the final mark given to those competencies and components so that the mark more accurately reflects the student's learning achievement.

The final subject mark is calculated using the weighting of competencies established in the framework for the evaluation of learning established by the Minister for the programs of study.

The credits earned for each subject passed are also indicated.

**30.1.2.** For the second and third years of the second cycle of secondary education, the pass mark is 60% for each subject.

**30.2.** The results in section 2 of the report cards for the second and third years of the second cycle of secondary education are based, except for the third term, on the framework for the evaluation of learning established by the Minister for each program of study as well as on the examinations set by the school board, if applicable.

The final mark per competency or component is calculated according to the following weighting: 40% for the first term, 60% for the second term.

**30.4.** A school board may, to the extent and on the conditions determined by the Minister, exempt handicapped students or students with social maladjustments or learning disabilities and students receiving welcoming services and support in learning French from the application of the provisions relating to results in this basic school regulation.

### CHAPTER III CERTIFICATION OF STUDIES

**32.** The Minister shall award a Secondary School Diploma to students who earn at least 54 credits at the Secondary IV or V level. Among those credits, there must be at least 20 credits at the Secondary V level and

- (1) 6 credits in Secondary V language of instruction;
- (2) 4 credits in Secondary V second language;
- (3) 4 credits in Secondary IV mathematics;
- (4) 4 credits in Secondary IV science and technology or 6 credits in Secondary IV applied science and technology;
- (5) 4 credits in Secondary IV history;
- (6) 2 credits in Secondary IV arts education; and
- (7) 2 credits in Secondary V ethics and religious culture or physical education and health.

Credits earned in a vocational training program leading to a Diploma of Vocational Studies or to an Attestation of Vocational Specialization are taken into account when awarding a Secondary School Diploma.

**33.** On the recommendation of the school board, the Minister shall award a pre-work training certificate to every student who has completed the training of not less than 2,350 hours and has successfully completed the work skills education program of not less than 600 hours apportioned as follows: 300 hours for the 2018-2019 school year and not less than 300 hours for the 2019-2020 school year.

**33.1.** On the recommendation of the school board, the Minister shall award a training certificate for a semi-skilled trade, with mention of the trade, to every student who has completed the training of not less than 550 hours and has successfully completed the practical training component for the semi-skilled trade of not less than 250 hours.

On the recommendation of the school board, the Minister shall also award a training certificate for a semi-skilled trade, with mention of the semi-skilled trade, to every student referred to in the third paragraph of section 23.4 if the student

- (1) has completed the pre-work training of not less than 2,350 hours; and
- (2) has successfully completed the practical training component of the training leading to a semi-skilled trade of a duration of not less than 250 hours.

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

The Minister shall certify success or failure in that program.”

## DIVISION II FINAL

6. This Regulation applies despite any inconsistent provision of the Basic school regulation for preschool, elementary and secondary education.

7. This Regulation comes into force on 3 June 2020.

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Gouvernement du Québec

### O.C. 548-2020, 27 May 2020

Education Act  
(chapter I-13.3)

#### Amended basic vocational training regulation owing to the COVID-19 pandemic

Amended basic vocational training regulation owing to the COVID-19 pandemic

WHEREAS, under the first paragraph of section 448 of the Education Act (chapter I-13.3), the Government may, in particular, by regulation, establish a basic vocational training regulation;

WHEREAS the Government made the Basic vocational training regulation (chapter I-13.3, r. 10);

WHEREAS, under subparagraphs 4 to 6 of the third paragraph of section 448 of the Education Act, the basic vocational training regulation established by the Government may

— establish rules on the evaluation of learning achievement and the certification of prior learning;

— determine the diplomas, certificates and other official attestations awarded by the Minister and prescribe the conditions under which they are to be awarded;

— prescribe the cases in which, or the conditions or circumstances under which a person resident in Québec cannot avail himself or herself of the right of free access to vocational training;

WHEREAS, in accordance with section 458 of the Act, a draft copy of the regulation has been submitted to the Conseil supérieur de l'Éducation for preliminary examination;

WHEREAS, by Order in Council 177-2020 dated 13 March 2020, the Government declared a public health emergency and suspended educational and instructional services;

WHEREAS the public health emergency was renewed until 29 March 2020 by Order in Council 222-2020 dated 20 March 2020, until 7 April 2020 by Order in Council 388-2020 dated 29 March 2020, until 16 April 2020 by Order in Council 418-2020 dated 7 April 2020, until 24 April 2020 by Order in Council 460-2020 dated 15 April 2020, until 29 April 2020 by Order in Council 478-2020 dated 22 April 2020, until 6 May 2020 by Order in Council 483-2020 dated 29 April 2020, until 13 May 2020 by Order in Council 501-2020 dated 6 May 2020, until 20 May 2020 by Order in Council 509-2020 dated 13 May 2020, until 27 May 2020 by Order in Council 531-2020 dated 20 May 2020 and until 3 June 2020 by Order in Council 544-2020 dated 27 May 2020;

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 due to the following circumstances justifies the absence of prior publication and such coming into force of the Amended basic vocational training regulation owing to the COVID-19 pandemic:

— the standards related to the form prescribed for expressing results and the certification of studies must be amended before 10 July in order to be able to send report cards within the time prescribed and allow students to continue their studies or obtain their diploma, as the case may be, so as not to delay the integration of students into the labour market;

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