



CHAPTER 23

An Act respecting the Conseil des collèges

[Assented to 22 June 1979]

HER MAJESTY, with the advice and consent of the Assemblée nationale du Québec, enacts as follows:

DIVISION I

ESTABLISHMENT AND COMPOSITION OF THE COUNCIL

Establishment.

1. A body, hereinafter called “the Council”, is established under the name of “Conseil des collèges”.

Jurisdiction.

The Council is responsible for the general and vocational education at the college level provided by the general and vocational colleges and by the institutions contemplated in the Private Education Act (1968, chapter 67).

Composition.

2. The Council is composed of the following members, appointed by the Government:

(a) the president;

(b) eight persons from the college milieu, appointed after consultation with the colleges and with the most representative associations in the college milieu;

(c) three persons appointed after consultation with the most representative associations in the business, labour and cooperative fields;

(d) a representative of the parents, appointed after consultation with the most representative associations of parents of college level students;

(e) one person from the university milieu, appointed after consultation with the universities and another from the secondary education milieu, appointed after consultation with the associations most representative of the school boards;

(f) a government civil servant, who does not have a vote.

Members
ex officio.

The chairman of the vocational education commission and the chairman of the evaluation commission are also members of the Council.

Term of
office.

3. The president of the Council is appointed for five years, and he shall exercise his duties on a full-time basis. His term shall not be renewed more than once, consecutively.

Terms of
office.

4. The members of the Council contemplated in subparagraphs *b*, *c*, *d* and *e* of the first paragraph of section 2 are appointed for three years. Their term of office shall not be renewed more than once, consecutively.

Terms of
office.

However, seven of the first fourteen members contemplated in the first paragraph are appointed for two years.

Disqualifi-
cation.

5. No member of the Assemblée nationale may become or remain a member of the Council.

Domicile.

The members of the Council must be domiciled in the province of Québec.

Conditions
of employ-
ment.

6. The Government shall fix the remuneration, the social benefits and the other conditions of employment of the president. The remuneration of the president, once determined, shall not be reduced.

No remuneration.

7. The members of the Council other than the president, the chairman of the evaluation commission and the chairman of the vocational education commission receive no remuneration.

Expenses
and allow-
ance.

However, they are entitled to the reimbursement of justifiable expenses incurred by them in the exercise of their functions, and they receive an attendance allowance fixed by the Government.

Term con-
tinued.

8. At the end of their terms, the members of the Council remain in office until they are reappointed or replaced.

Vacancies.

If, during the course of a term, a vacancy occurs in the office of a member contemplated in subparagraph *b*, *c*, *d* or *e* of the first paragraph of section 2, it shall be filled following the mode of appointment provided in section 2.

Presump-
tion.

If a member is absent from such number of meetings as the Council may fix by by-law, his office is deemed to be vacant.

Replace-
ment.

9. If the president is unable to act, the Government may replace him by appointing a person whose remuneration, social

benefits and other conditions of employment it shall fix, to exercise the functions of the president for as long as he is unable to act.

Secretary. **10.** The secretary of the Council is appointed for five years, on the recommendation of the Council, by the Government, which shall fix his remuneration, social benefits and other conditions of employment; if he is dismissed or suspended, section 97 of the Civil Service Act (1978, chapter 15) then becomes applicable to him. His term is renewable.

Provisions applicable. The other employees of the Council are appointed and remunerated in accordance with that act.

Meetings. **11.** The Council shall meet at least six times a year.

DIVISION II

FUNCTIONS AND POWERS OF THE COUNCIL

Function. **12.** The function of the Council is to advise the *Ministre de l'éducation* on the draft regulations, on the matters contemplated in section 14 and on any other question concerning college education referred to it by the Minister. It shall report to the Minister on the state and needs of college education.

Powers. **13.** The Council may, in particular, in the exercise of its functions,

(a) suggest goals to be pursued to ensure the development of college education and revise them periodically;

(b) invite opinions, and receive and hear the petitions and suggestions of the public in matters of college education;

(c) make recommendations to the *Ministre de l'éducation* on any matter relating to college education;

(d) cause to be carried out such studies and research as it deems useful or necessary to the accomplishment of its duties.

Opinion of council. **14.** The *Ministre de l'éducation* shall submit for the opinion of the Council

(a) the draft regulations contemplated in paragraphs *b* and *c* of the first paragraph and in the second paragraph of section 18 of the General and Vocational Colleges Act (1966/1967, chapter 71);

(b) plans for the establishment of new colleges;

(c) plans for the setting up of new college curricula established by the Minister;

(d) the plan for apportioning the college curricula among the colleges;

(e) the policy for the apportionment among the colleges of the total amount of the annual appropriations granted for college education;

(f) the plan and the rules for the apportionment of investment budgets among the colleges.

Exception. Subparagraphs *b*, *d*, *e* and *f* of the first paragraph do not apply to the institutions contemplated in the Private Education Act (1968, chapter 67).

Internal management. **15.** The Council may make internal management by-laws for the conduct of its affairs.

Commissions. **16.** An evaluation commission and a vocational education commission are established in the Council.

Evaluation commission. **17.** The evaluation commission shall examine the evaluation policies of the institutions and their implementation of them, and advise the Council in the light of this examination.

Additional services. It shall, in addition, offer to the colleges an evaluation service respecting the curricula or any aspect of their institutional practices.

Vocational education commission. **18.** The vocational education commission shall advise the Council, which must consult it on policies affecting vocational education. It shall attend to relations between the Council and the various bodies interested in vocational education.

Term of office. **19.** The chairman of each of these commissions is appointed for three years by the Government upon the recommendation of the Council. His term shall not be renewed more than once, consecutively.

Conditions of employment. The Government shall fix his remuneration, social benefits and other conditions of employment.

Appointment. **20.** The members of these commissions, whose number is determined by the Council but must not be greater than eight for each commission, are appointed by the Council.

Terms of office. The Council shall fix the term of office and mode of replacement of these members.

No remuneration. **21.** The members of the vocational education commission and of the evaluation commission receive no remuneration.

Expenses
and allow-
ance.

However, they are entitled to the reimbursement of justifiable expenses incurred by them in the exercise of their functions and they receive an attendance allowance fixed by the Government.

Commit-
tees.

22. In the exercise of its functions, the Council may, with the authorization of the Ministre de l'éducation, establish committees having special mandates and determine their composition and the term of office of their members.

Provision
applicable.

Section 21 applies, *mutatis mutandis*, to the members of these committees.

DIVISION III

MISCELLANEOUS PROVISIONS

Fiscal
period.

23. The fiscal period of the Council terminates on 31 March each year.

Annual
report.

24. The Council must, not later than 31 August each year, make a report to the Ministre de l'éducation of its activities for the preceding fiscal period and on the state and the needs of college education. That report must also contain all the information that may be prescribed by the Minister.

Tabling of
report.

The Minister shall table the report of the Council before the Assemblée nationale within thirty days of his receiving it. If he receives it while the Assemblée nationale is not sitting, he shall table it within thirty days after the opening of the next session or, as the case may be, within fifteen days after resumption.

R.S.,
c. 234,
s. 14, am.

25. Section 14 of the Superior Council of Education Act (Revised Statutes, 1964, chapter 234) is amended by replacing the first paragraph by the following paragraph:

Secretarial
office.

"14. The Council and its committees and commissions shall have their secretarial office in the territory of the Communauté urbaine de Québec."

R.S.,
c. 234,
s. 24, am.

26. Section 24 of the said act, amended by section 3 of chapter 66 of the statutes of 1969, is again amended by replacing the first paragraph by the following paragraph:

Commis-
sions es-
tablished.

"24. A Commission of Elementary Education, a Commission of Secondary Education, a Commission of Higher Education and a Commission of Adult Education are established in the Council."

R.S.,
c. 234,
s. 28, am.

27. Section 28 of the said act, amended by section 6 of chapter 66 of the statutes of 1969, is again amended by replacing paragraph *b* by the following paragraph:

“(b) subject to the powers of the committees contemplated in section 22, the curricula, the examinations, the diplomas, the teaching certificates and the qualification of the teaching personnel, for all subjects, except subjects at the college level, those leading to a university degree and private education not leading to a diploma conferred under the authority of the Minister;”.

28. Section 1 of the Private Education Act (1968, chapter 67) is amended:

(a) by replacing paragraph *a* by the following paragraph:

“general
education”;

“(a) “general education”: education at the pre-elementary or elementary level within the meaning of the regulations contemplated in section 28 of the Superior Council of Education Act (Revised Statutes, 1964, chapter 234), and all education at the secondary or college level, within the meaning of the said regulations or of the regulations contemplated in section 18 of the General and Vocational Colleges Act (1966/1967, chapter 71), of which the immediate object is not preparation for the practice of a vocation or trade and which enables the pupils to pursue studies at a higher level;”;

(b) by replacing paragraph *h* by the following paragraph:

“official
curriculum”;

“(h) “official curriculum”: a curriculum governed by the regulations contemplated in section 28 of the Superior Council of Education Act or in section 18 of the General and Vocational Colleges Act;”.

1968, c. 67,
s. 14, am.

29. Section 14 of the said act is amended by inserting, after the first paragraph, the following paragraph:

Computa-
tion of
grant.

“Where such an institution provides education at the college level and where the curricula extend over five terms, the number of full-time pupils that must be considered for purposes of the grant contemplated in the first paragraph is the average number of pupils registered full time for those curricula on 30 September and 31 January of the school year.”

1968, c. 67,
s. 17, am.

30. Section 17 of the said act is amended by inserting, after the first paragraph, the following paragraph:

Provision
applicable.

“The second paragraph of section 14 applies to the computation of that grant.”

1968, c. 67,
s. 31, am.

31. Section 31 of the said act is amended by replacing paragraphs *a* and *b* by the following paragraphs:

“(a) comply with the regulations made under the Superior Council of Education Act or the General and Vocational Colleges Act respecting the conditions for admission of pupils to studies at the level of education that it gives;

“(b) employ instructors having the required qualifications within the meaning of the regulations contemplated in section 28 of the Superior Council of Education Act or in section 18 of the General and Vocational Colleges Act;”.

1968, c. 67,
s. 42, am. **32.** Section 42 of the said act is replaced by the following section:

Official curriculum. **“42.** The permit shall oblige the institution holding it to give all the courses of the official curriculum provided for the vocation or trade contemplated in the permit, to employ instructors who possess the required qualifications under the regulations contemplated in section 28 of the Superior Council of Education Act or in section 18 of the General and Vocational Colleges Act and to present its pupils for the examinations held by the Minister or under his authority to evidence the completion of such studies.”

Consolidated revenue fund. **33.** The expenses incurred for the carrying out of this act shall be paid for the fiscal period 1979/1980 out of the consolidated revenue fund, and for subsequent fiscal periods out of the moneys voted annually for such purpose by the Legislature.

Minister responsible. **34.** The Ministre de l'éducation is entrusted with the application of this act.

Coming into force. **35.** This act comes into force on the day of its sanction, except subparagraphs *b*, *d*, *e* and *f* of the first paragraph of section 14, which will come into force on 1 October 1979.