

EDUCATION ACT

PRINCIPAL

The principal of a school shall be appointed by the school board in accordance with the selection criteria established by the school board after consulting with the governing board.

The school board may designate a person to fill the position of principal temporarily, having regard to the provisions of the applicable collective agreements or regulations of the Minister.

The school board may appoint one or more vice principals after consulting with the principal.

A vice principal shall assist the principal in the exercise of the principal's functions and powers.

The vice principal, or the vice principal designated by the school board, shall exercise the principal's functions and powers if the principal is absent or unable to act.

The principal may not, on pain of forfeiture of office, have any direct or indirect interest in an enterprise which places the principal's personal interest in conflict with the interest of the school.

However, forfeiture of office is not incurred if the interest is acquired by succession or gift, provided the principal renounces or disposes of it promptly.

Functions and powers

The principal, under the authority of the director general of the school board, shall ensure that educational services provided at the school meet the proper standards of quality.

The principal is the academic and administrative director of the school and shall see to the implementation of the decisions of the governing board and of the other provisions governing the school.

The principal shall see to the implementation of the anti-bullying and anti-violence plan, and shall receive and promptly deal with all reports or complaints concerning bullying or violence.

On receiving a complaint concerning bullying or violence, and after considering the best interest of the students directly involved, the principal shall promptly communicate with their parents to inform them of the measures in the anti-

bullying and anti-violence plan. The principal shall also inform them of their right to request assistance from the person specifically designated by the school board for that purpose.

For each complaint received, the principal shall send the director general of the school board a summary report on the nature of the incident and the follow-up measures taken.

The principal shall set up an anti-bullying and anti-violence team and designate a school staff member to coordinate its work as part of his or her regular duties.

The principal shall assist the governing board in the exercise of its functions and powers and, for that purpose, the principal shall

- coordinate the analysis of the situation prevailing at the school and the development, implementation and periodical evaluation of the school's educational project;
- coordinate the development, the review and any updating of the school's success plan;
- coordinate the development, the review and, if necessary, the updating of the anti-bullying and anti-violence plan;
- ensure that the proposals required under this chapter are prepared and submitted to the governing board for approval;
- ensure that the governing board is provided all necessary information before approving the proposals made under this chapter;
- encourage concerted action between the parents, the students and the staff, their participation in the life of the school and their collaboration in fostering success;
- inform the governing board on a regular basis concerning the proposals approved by the principal under section 96.15.

If the principal fails or refuses to submit to the governing board a proposal concerning a matter within the purview of the governing board within 15 days of the date on which the governing board requests the proposal, the governing board may act without such a proposal.

In the case of a handicapped student or a student with a social maladjustment or a learning disability, the principal, with the assistance of the student's parents, of the staff providing services to the student, and of the student himself, unless the student is unable to do so, shall establish an individualized education plan adapted to the needs of the student. The plan must be consistent with the school board's policy concerning the organization of services for handicapped students and students with social maladjustments or learning disabilities and in keeping with the ability and needs of the student as evaluated by the school board before the student's placement and enrolment at the school. In addition, the plan must

state that recourse to the school board's complaint examination procedure provided for in section 220.2 is an option if the parent or student is not satisfied. The principal shall see to the implementation and periodical evaluation of the education plan and inform the student's parents on a regular basis.

The principal is responsible for approving, on the proposal of the teachers or, in the case of matters referred to in subparagraph 5, of the members of the staff concerned,

- in accordance with the policies determined by the governing board, the local programs of studies developed to meet the special needs of students;
- the criteria for the introduction of new instructional methods;
- in accordance with this Act and in keeping with the school budget, the textbooks and instructional material required for the teaching of programs of studies;
- the standards and procedures for the evaluation of student achievement, in particular, how parents are to be informed of the academic progress of their children, in keeping with the prescriptions of the basic school regulation and subject to the examinations that may be imposed by the Minister or the school board;
- the rules governing the placement of students and their promotion from one cycle to the other at the elementary level, subject to the rules prescribed by the basic school regulation.

Before approving the proposals under subparagraph 3 of the first paragraph and the proposals relating to how parents are to be informed of the academic progress of their children under subparagraph 4 of the first paragraph, the principal must consult with the governing board.

The proposals of the teachers or the staff members under this section shall be made according to the procedure determined by the teachers or the staff members at general meetings called for that purpose by the principal or, failing that, according to the procedure determined by the principal.

A proposal of the teachers or the staff members concerning a subject referred to in this section must be made within 15 days after the proposal is requested by the principal, failing which the principal may act without such proposal.

If the principal does not approve a proposal of the teachers or the staff members, the principal shall give reasons, in writing, for the decision.

With the authorization of the Minister, a greater number of credits may be assigned to a local program of studies than the number of credits prescribed by the basic school regulation.

Exceptionally, in the interest of a child who has not achieved the objectives of preschool education and following a request, with reasons, made by the child's parents, the principal may admit the child, as prescribed by regulation of the Minister, to preschool education for the school year in which he would be eligible for admission to elementary school education, if there are reasonable grounds to believe that such a measure is necessary to foster the child's academic progress.

Exceptionally, in the interest of a student who has not achieved the objectives or mastered the compulsory notional contents of elementary school education at the end of the period fixed by the basic school regulation for mandatory promotion to secondary school and following a request, with reasons, made by the student's parents, the principal may admit the student, as prescribed by regulation of the Minister, to elementary school education for an additional school year, if there are reasonable grounds to believe that such a measure is necessary to foster the student's academic progress.

Each year, the principal shall submit a report to the school board on the number of students admitted under each of sections 96.17 and 96.18, on the date determined and in the form specified by the school board.

After consulting with the school staff, the principal shall inform the school board, on the date and in the form determined by the school board, of the needs of the school in respect of each staff category and of the professional development needs of the staff.

The principal is responsible for the management of the staff of the school and shall determine the duties and responsibilities of each staff member in accordance with the provisions of the applicable collective agreements or regulations of the Minister and, where applicable, with the agreements between the school board and university-level institutions concerning the training of future teachers or the mentoring of newly qualified teachers.

The principal shall see to it that all school staff members are informed of the school's rules of conduct, safety measures and anti-bullying and anti-violence measures, and of the procedure to be followed when an act of bullying or violence is observed.

The principal shall see to the organization of such professional development activities for the school staff as agreed with the staff, in accordance with the provisions of the applicable collective agreements.

After consulting with the governing board, the principal shall inform the school board of the requirements of the school as regards goods and services, and of any required improvement, equipment, construction, conversion or repair of the premises or immovables placed at the disposal of the school.

The principal shall manage the physical resources of the school in keeping with the applicable standards and decisions of the school board; the principal shall render an account of such management to the school board.

The principal shall prepare the annual budget of the school, submit it to the governing board for adoption, administer the budget and render an account thereof to the governing board.

The budget must maintain a balance between expenditures, on the one hand, and the financial resources allocated to the school by the school board and the school's own revenues, on the other.

The approved school budget shall constitute separate appropriations within the school board's budget, and the expenditures for that school shall be charged to those appropriations.

At the end of every fiscal year, the school's surpluses shall be transferred to the school board. However, the school board may, for the following fiscal year, credit all or part of the surpluses to the school or another educational institution if the resource allocation committee established under section 193.2 recommends it and the council of commissioners implements that recommendation. If the council of commissioners fails to implement the recommendation, it must give reasons for its decision at the meeting at which the recommendation is rejected. If a school closes, the school's surpluses and funds shall be transferred to the school board.

The principal shall participate in defining the strategic plan, policies and by-laws of the school board.

The principal shall also exercise the functions and powers delegated by the council of commissioners.

The principal shall, at the request of the school board, exercise functions other than the functions of a principal.

The principal may suspend a student if, in the principal's opinion, such a disciplinary sanction is necessary to put an end to acts of bullying or violence or to compel the student to comply with the school's rules of conduct.

When determining the duration of the suspension, the principal shall take into account the student's best interest, the severity of the incidents, and any previously taken measures.

The principal shall inform the student's parents of the reasons for the suspension and of the assistance, remedial and reintegration measures imposed on the student.

The principal shall also inform the student's parents that, in the event of any further act of bullying or violence, on a request by the principal to the council of commissioners under section 242, the student could be enrolled in another school or expelled from the schools of the school board.

The principal shall inform the director general of the school board of the decision to suspend the student.