

EDUCATION ACT

VOCATIONAL TRAINING CENTRES AND ADULT EDUCATION CENTRES

ESTABLISHMENT

Vocational training centres are educational institutions whose mission is to provide the educational services prescribed by the basic vocational training regulation established by the Government under section 448.

Adult education centres are educational institutions whose mission is to provide to persons entitled thereto under section 2 the educational services prescribed by the basic adult education regulation established by the Government under section 448.

Centres shall pursue their mission within the framework of the policies and the objectives determined pursuant to section 109 and implemented by means of a success plan.

It is also the mission of centres to contribute to the social and cultural development of the community.

The success plan of the centre shall reflect the strategic plan of the school board and comprise

- the measures to be taken based on the policies and objectives determined under section 109;
- methods for evaluating the implementation of the success plan.

The success plan shall be reviewed each year and updated, if necessary.

At the request of the school board, an adult education centre shall provide a general education program to students in a vocational training program offered by a vocational training centre or by an enterprise that meets the conditions determined by the Minister in a regulation under paragraph 7 of section 111 of the Act respecting private education.

Likewise, a vocational training centre shall provide a general education program to students in a vocational training program.

For the purposes of section 72 of the Charter of the French language, a vocational training centre shall be considered to be a school as far as persons entitled to educational services under section 1 are concerned.

Centres shall be established by the school board.

The deed of establishment of a centre shall state the name and address of the centre and indicate the premises or immovables placed at the disposal of the centre. The deed shall also specify whether the centre is a vocational training centre or an adult education centre.

Where the deed of establishment of the centre places more than one immovable at the disposal of the centre, the school board, after consulting with the principal, may appoint a person to be responsible for each immovable and determine that person's functions.

The persons appointed shall perform their functions under the authority of the principal.

A school board may, after consulting with the governing board or at its request, amend the deed of establishment of a centre in keeping with the three-year plan of allocation and destination of the school board immovables.

GOVERNING BOARD

A governing board shall be established for each centre.

The governing board, which shall have not more than 20 members, shall include the following persons, who shall become members of the board upon their appointment or election:

- students attending the centre, elected by their peers according to the procedure determined by the principal after consulting with the students or the students' association, if any;
- at least four members of the staff of the centre, including at least two teachers and, if the persons concerned so decide, at least one non-teaching professional staff member and at least one support staff member, elected by their peers according to the procedure set out in their respective collective agreements or, failing that, according to the procedure determined by the principal after consulting with the persons concerned;
- at least two persons appointed by the school board after consulting with the socio-economic and community groups in the territory principally served by the centre;
- in the case of a vocational training centre, at least two parents of students attending the centre who are not members of the staff of the centre, elected by their peers according to the procedure determined by the principal;
- at least two persons appointed by the school board from within enterprises of the region which, in the case of a vocational training centre, operate in economic sectors corresponding to the vocational education programs offered by the centre.

The term of office of members of the governing board is two years.

The members of the governing board shall remain in office until they are re-elected, reappointed or replaced.

A vacancy resulting from the departure or disqualification of any other member of the governing board is filled, for the unexpired portion of the term, according to the mode of appointment prescribed for the member to be replaced.

The school board shall determine the number of representatives of each group on the governing board after consulting with each group.

The total number of seats for staff representatives must not exceed the total number of seats for representatives of other groups.

Commissioners elected or appointed pursuant to the Act respecting school elections cannot be members of the governing board of a centre under the authority of the school board.

However, when carrying out a mandate under paragraph 4 of section 176.1, a commissioner may take part in meetings of the governing board but is not entitled to vote.

The principal shall take part in meetings of the governing board but is not entitled to vote.

The fact that the representatives of a group fall short of the required number shall not prevent the formation of the governing board.

The governing board shall choose its chair from among the members appointed or elected under subparagraphs 3 to 5 of the second paragraph of section 102 who are not members of the personnel of the school board.

A majority of the members in office is a quorum of the governing board.

Sections 57 to 60 and 62 to 73, adapted as required, apply to the operation of the governing board of a centre.

The governing board shall analyze the situation prevailing at the centre, particularly the challenges tied to student success and the characteristics and expectations of the community served by the centre. Based on the analysis and taking into account the strategic plan of the school board, the governing board shall determine, oversee the implementation of and periodically evaluate the centre's specific policies and objectives for improving student success. The governing board may also determine actions to promote those policies and integrate them into the life of the centre.

In exercising those functions, the governing board shall seek the collaboration of persons having an interest in the centre.

To that end, the governing board shall encourage the communication of information, dialogue and concerted action between students, parents, the principal, teachers and other staff members and community representatives.

The governing board is responsible for approving the centre's success plan, and any updated version of the plan, proposed by the principal.

The proposals shall be developed in collaboration with the staff of the centre.

The collaboration procedure shall be established by the persons concerned at general meetings called for that purpose by the principal or, failing that, shall be determined by the principal.

The governing board shall advise the school board concerning

- any matter the school board is required to submit to the governing board;
- any matter likely to facilitate the operation of the centre;
- any matter likely to improve the organization of the services provided by the school board.

The school board must consult the governing board concerning

- the amendment or revocation of the deed of establishment of the centre;
- the selection criteria for the appointment of the principal.

The functions of the governing board include approving the proposals of the principal on the following matters

- the approach for the implementation of the basic regulation;
- the implementation of the programs of studies;
- the implementation of the programs relating to student services and popular education prescribed by the basic regulation which are determined by the school board or provided for in an agreement made by the school board;
- the operating rules of the centre.

Proposals under subparagraph 2 of the first paragraph shall be developed in collaboration with the teachers and the other proposals, in collaboration with the staff members concerned.

The collaboration procedure shall be established by the persons concerned at general meetings called for that purpose by the principal or, failing that, shall be determined by the principal.

The governing board may organize social, cultural or sports services or allow other persons or organizations to organize such services on the premises of the centre.

For the purposes of this section, the governing board may, in the name of the school board and in keeping with the budget of the centre, contract with a person or organization for the provision of goods and services. In addition, the governing board may require a financial contribution from users of such goods and services.

Revenues derived from the provision of such goods and services shall be credited to the appropriations allocated to the centre.

Each year, the governing board shall inform the community served by the centre of the services provided by the centre and report on the level of quality of such services.

The governing board shall make public the policies, objectives and success plan of the centre.

Each year, the governing board shall report on the evaluation of the implementation of the success plan.

A document explaining the policies and objectives of the centre and reporting on the evaluation of the implementation of the success plan shall be distributed to the students and the staff. The governing board shall see to it that the wording of the document is clear and accessible.

Section 77.1 applies to the governing board of a vocational training centre as regards the students referred to in section 1, with the necessary modifications.

Sections 80 to 82 and 93 to 95, adapted as required, apply to the governing board of a centre.

PRINCIPAL

Appointment

The principal of a centre shall be appointed by the school board in accordance with the criteria established 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 his functions and powers.

The vice principal, or the vice principal designated by the school board, shall exercise the functions and powers of the principal 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 centre.

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 centre meet the proper standards of quality.

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

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 centre and the development, implementation and periodical evaluation of the objectives of the centre;
- coordinate the development, the review and any updating of the centre's success 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.

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 attending a vocational training centre, the principal, with the assistance of the student's parents, of the staff providing services to the student, and of the student, unless the student is unable to do so, shall establish an individualized education plan adapted to the student's needs and abilities.

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 also responsible for approving, on the proposal of the teachers,

- the criteria for the introduction of new instructional methods;
- in keeping with the budget of the centre, the textbooks and instructional material required for the teaching of programs of studies;
- the standards and procedures for the evaluation of student achievement in keeping with the prescriptions of the basic regulation and subject to the examinations that may be imposed by the Minister or the school board.

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

A proposal of the teachers 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, the principal shall give reasons for the decision.

Sections 96.20 to 96.26, adapted as required, apply to the principal of a centre.