

<b>EASTERN TOWNSHIPS SCHOOL BOARD</b>	<i>Title:</i> <b>POLICY CONCERNING THE CONTINUED OPERATION OR CLOSURE OF SCHOOLS AND CHANGES TO THE INSTRUCTIONAL SERVICES PROVIDED</b>	
<i>Source:</i> <b>Planning &amp; Development Advisory Committee Assistant Director General</b>	<i>Adopted:</i> <b>August 26, 2008 ETSB08-08-08</b>	<i>Reference Number:</i>  <p style="text-align: center;"><b>P006</b></p>

**1. PURPOSE**

- 1.1 The present policy is adopted in order to clarify the School Board’s orientation concerning the continued operation or closure of schools and changes to the instructional services provided, to ensure a healthy management of its network of schools.

**2. OBJECTIVES**

- 2.1 Maintain high quality educational services in each school.
- 2.2 Ensure an equitable distribution of financial, material and human resources in the whole system.
- 2.3 Favour stability in the network of schools.

**3. LEGAL CONTEXT**

- 3.1 The present policy is based on sections 36, 39, 40, 79, 97, 193, 211, 212 and 236 of the *Education Act*. Please refer to Appendix 1 for the text of these sections.
- 3.2 The present policy shall respect the Local Agreement and Arrangements of teachers, professionals and support staff personnel and the collective agreements in force.

#### **4. PRINCIPLES**

- 4.1 The School Board favours continuing the operation of a school or providing educational services in a given level of instruction or cycle (including preschool) as long as it can offer quality educational services to its students.
- 4.2 The School Board may, after having completed the consultation required by the *Education Act*, close a school if it cannot maintain quality educational services for its students or if maintaining it open does not permit a rational utilization of its resources and buildings.
- 4.3 The School Board may also, after having completed the same consultation process, decide to cease the provision of educational services in a level of instruction or cycle, or cease preschool educational services provided by a school, for the same reasons.
- 4.4 The School Board will evaluate, annually, whether it can offer quality service in each of its schools, taking into consideration student performance, enrolment figures, financial parameters and organizational constraints.

#### **5. CRITERIA TO BE CONSIDERED**

- 5.1 The quality of the educational services provided and the student performance.
- 5.2 The actual population of the school and the projected evolution over the next three years of the school's clientele.
- 5.3 The feasibility of relocating the school's clientele in other schools of the School Board, taking into consideration additional travel time, additional distance and building capacity.
- 5.4 The actual cost related to the operation of the school and an estimate of the cost pertaining to major repairs, over a three-year period.
- 5.5 The presence of English educational services in the communities served by the School Board.
- 5.6 A request from the local clientele to deliver the services in another school.

## **6. ROLES AND RESPONSIBILITIES**

- 6.1 Any decision concerning the application of the present policy must be made by the Council of Commissioners.
- 6.2 The Secretary General will monitor the consultation process.
- 6.3 The Director General is responsible for the application of the present policy.

## **7. CONSULTATION PROCESS AND TIMETABLE**

- 7.1 The School Board will start the consultation process with a public notice of a consultation meeting, issued no later than March 31<sup>st</sup> of the year preceding the year during which a school would be closed or when changes to a level of instruction or cycle are to be made or when preschool education services are scheduled to cease.
- 7.2 No later than May 15<sup>th</sup>, the public may consult or request a copy of the relevant information concerning the pedagogical and financial impact of the proposed change at the Secretary General's office. Whenever possible, any information that is not deemed sensitive or of a personal nature will be posted on the ETSB website.
- 7.3 At the consultation meeting, to be held no later than November 1<sup>st</sup>, any member of the public affected by the proposed change may present a written brief to the Chair. This brief will have been sent to the attention of the Secretary General by September 15<sup>th</sup>. The Chair of the Council of Commissioners and the commissioner of the ward in which the school is located, or their delegates, shall attend this consultation meeting.
- 7.4 The Council of Commissioners shall render its decision no later than January 30<sup>th</sup>, and shall advise, by letter, the parents of students affected by the change.

## **8. COMING INTO FORCE OF THIS POLICY**

- 8.1 The present Policy takes effect as of the date of its adoption by the Council of Commissioners.

**EXTRACTS FROM THE EDUCATION ACT**  
**(R.S.Q. , chapter I-13.3)**

Object.

- 36.** A school is an educational institution whose object is to provide to the persons entitled thereto under section 1 the educational services provided for by this Act and prescribed by the basic school regulation established by the Government under section 447 and to contribute to the social and cultural development of the community. A school shall, in particular, facilitate the spiritual development of students so as to promote self-fulfillment.

Mission.

In keeping with the principle of equality of opportunity, the mission of a school is to impart knowledge to students, foster their social development and give them qualifications, while enabling them to undertake and achieve success in a course of study.

Educational project.

A school shall pursue its mission within the framework of an educational project implemented by means of a success plan.

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1988, c. 84, s. 36; 1990, c. 78, s. 54; 1997, c. 96, s. 13; 2000, c. 24, s. 19; 2002, c. 63, s. 2.

Establishment.

- 39.** Schools shall be established by the school board.

Deed.

The deed of establishment shall state the name and address of the school, indicate the premises or immovables placed at the school's disposal and specify the level of instruction the school is to provide. It shall also state the cycle or, exceptionally, the part of cycle of the level of instruction concerned and specify if the school provides preschool education.

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1988, c. 84, s. 39; 1997, c. 96, s. 13; 2006, c. 51, s. 88.

Revocation.

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

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1988, c. 84, s. 40; 1990, c. 768, s. 54; 1997, c. 96, s. 13.

Consultation.

- 79.** The school board must consult with the governing board concerning  
(1) the amendment or revocation of the deed of establishment of the school;  
(2) the selection criteria for the appointment of the principal;  
(3) (*paragraph repealed*).

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1988, c. 84, s. 79 ; 1997, c. 96, s. 13; 2000, c. 24, s. 21.

Mission.

- 97.** 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.

Mission.

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.

Policies and objectives.

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.

Mission.

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

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1988, c. 84, s. 97; 1990, c. 78, s. 54; 1997, c. 96, s. 13; 2002, c. 63, s. 13.

Consultation.

- 193.** The parents' committee shall be consulted on the following matters:

1) the division, annexation or amalgamation of the territory of the school board;

1.1) the school board's strategic plan and any updated version of the strategic plan;

2) the three-year plan of allocation and destination of the immovables of the school board, the list of schools and the deeds of establishment;

3) the policy adopted under section 212 on the continued operation or closure of schools and on other changes made to the educational services provided in a school;

3.1) the financial contributions policy adopted under section 212.1;

4) (*paragraph repealed*) ;

5) the distribution of educational services among the schools;

6) the criteria referred to in section 239 for the enrollment of students in schools;

6.1) the dedication of a school to a special project pursuant to section 240 and the criteria for the enrollment of students in that school;

7) the school calendar;

8) the rules governing promotion from elementary school to secondary school or from the first cycle to the second cycle of the secondary level;

9) the objectives and principles governing the allocation of subsidies, school tax proceeds and other revenues among educational institutions as well as the criteria pertaining thereto, and the objectives, principles and criteria used to determine the amount to be withheld by the school board for its needs and those of its committees;

10) the learning activities established by the school board and intended for parents.

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1988, c. 84, s. 193; 1990, c. 8, s. 17; 1990, c. 78, s. 54; 1997, c. 47, s. 14; 1997, c. 96, s. 37; 2002, c. 63, s. 23; 2005, c. 16, s. 8; 2006, c. 51, s. 97.

Immovables.

- 211.** Each year, after consulting any municipality or metropolitan community whose territory is situated entirely or partially within its own, the school board shall establish a three-year plan for the allocation and destination of its immovables. The plan must specify, for each school and each vocational training and adult education centre, the name and address of the school or centre, the premises at its disposal, the level of instruction provided, any purpose it may have other than its educational purpose, its capacity and the school enrolment forecast for the duration of the plan.

Transmission of plan.

The school board shall transmit the plan to every municipality or metropolitan community consulted.

Deed of establishment.

The school board shall then draw up, in accordance with the plan, a list of its schools, and of its vocational training and adult education centres, if any, and shall issue a deed of establishment to them.

Allocation of premises.

Where two or more educational institutions are established in the same premises or immovables, the school board shall determine the allocation of the premises or immovables, or the allocation of the use of such premises or immovables among such educational institutions.

Coordinating committee.

In the case described in the third paragraph, the school board may, at the request of the governing boards concerned, establish a coordinating committee composed of representatives of the governing boards and determine the distribution of powers and functions between the governing boards and the coordinating committee, as well as the administrative and operating rules applicable to the coordinating committee.

Single principal.

The school board may also appoint a single principal for all the institutions and one or more vice principals for each institution. In such a case, the school board, after consulting with the governing boards concerned, shall determine the distribution of powers and functions between the principal and the vice principals.

1988, c. 84, s. 211; 1990, c. 8, s. 22; 1997, c. 96, s. 50; 2000, c. 56, s. 159; 2002, c. 68, s. 52; 2003, c. 19, s. 203; 2006, c. 51, s. 98.

Policy.

- 212.** Subject to any policy directions the Minister may establish and after holding a public consultation and consulting the parents' committee, the school board shall adopt a policy on
- (1) the continued operation or closure of schools; and
  - (2) changes to the level of instruction provided by a school, or to cycles or parts of cycles of the level of instruction, and on the cessation of preschool education services provided by a school.

Public consultation.

The policy must include a public consultation process, to take place prior to any change, that must provide for

- (1) the consultation timetable;
- (2) the manner in which the public, and more particularly the parents and the students of full age concerned, are to be informed, including the place where relevant information on the project, particularly its budgetary and educational impact, may be consulted by any person interested, and the place where additional information may be obtained;
- (3) at least one public consultation meeting and the related procedure; and
- (4) the presence at the consultation meetings of the chairman of the school board and the commissioner of the electoral division concerned.

Notice.

The policy must also specify that the public consultation process must start with a public notice of the consultation meeting, to be issued

- (1) not later than 1 July of the year preceding the year during which the school would be closed; or
- (2) not later than 1 April of the year preceding the year during which a change under subparagraph 2 of the first paragraph would be made.

1988, c. 84, s. 212; 1997, c. 96, s. 51; 2006, c. 15, s. 100.

Educational services.

- 236.** Every school board shall determine the educational services to be provided by each of its schools.

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1988, c. 84, s. 236