

**WESTERN QUEBEC SCHOOL BOARD**  
**AMENDED POLICY STATEMENT**

**Title: Criteria of Enrolment and the Application of School Boundaries Policy**

Approval Date: September 12, 2001

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Origin: Council of Commissioners

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**1. OBJECTIVES**

In accordance with **Section 239 of the Education Act**, to establish the criteria for student enrolment and transfer within and among the board schools and to govern the acceptance or rejection of requests made under the terms of this policy.

**2. REFERENCE AND DEFINITIONS**

**Education Act** - Education Act (Québec), last amendment, 1<sup>st</sup> July 2000

**Law 101 (Charter of the French Language)** - Last amendment, 1<sup>st</sup> April 1998

**Deed of Establishment**<sup>2</sup> - the deed of establishment of a school states the name and address of the school, indicates the premises or immovables places at the school's disposal, and specifies the level of instruction the school is to provide.

**Boundary School** - the geographic boundaries determined by the School Board from which students attend the school located within those boundaries

**Cross-Boundary Transfer Request** - A request made to the Director of Education to attend a school outside the boundary of a given school

**Capacity of a School** - The maximum capacity of a school as established by the school board.

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<sup>2</sup> Deed of Establishment - As per Section 39 and 211 of the Education Act (See Annex 1)

### **3. POLICY**

#### **3.1 General Eligibility:**

To be able to attend a school in the Western Quebec School Board students must live in the territory of that board and have attained the age of admission as defined by the Education Act or obtained an exemption<sup>3</sup> from the age requirement. Students must also have obtained a certificate of eligibility for English language education in accordance with Law 101.

#### **3.2 Choice of School:**

The choice of school is governed by Section 4 of the Education Act which states: “Every student, or the student’s parents if the student is not of full age, shall have the right to choose, every year, the school that best reflects their preferences from among the schools of the school board whose jurisdiction the student comes under that provide services to which the students is entitled”<sup>4</sup>.

#### **3.3 Enrolment Criteria - School Boundaries**

The School Board reserves the right to establish school boundaries periodically, but prior to the school registration dates, to respect the provisions of Section 239 of the Education Act as they apply to:

- a) School capacity and
- b) Student’s place of residence

#### **3.4 Cross-Boundary Request**

Every parent or student of full age (16 years of age on June 30<sup>th</sup> of the prior school year) may request a cross-boundary transfer from their boundary school.

### **4. CRITERIA AND CONDITIONS GOVERNING ENROLMENT**

#### **4.1 Enrolment to a school will be based on the criteria established in the following priority, always subject to the capacity of the school:**

- 4.1.1** With the exception of centralized special classes, students are enrolled in the school closest to their home and within the boundary area of the school
- 4.1.2** Students who live closest to the school and not within the school boundary and whose parents/guardians agree to provide transportation for their student

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<sup>3</sup> Section 241.1 of the Education Act (See Annex 1)

<sup>4</sup> Section 4 of the Education Act (See Annex 1)

- 4.1.3 Students who presently attend a school having been previously granted a cross-boundary transfer to that school and whose parents/guardians agree to provide transportation for their student
- 4.1.4 Students who wish to attend a school which has a language of instruction programme not offered in their boundary school and whose parents/guardians agree to provide transportation for their student

#### **4.2 The right to choose a school:**

- 4.2.1 Cannot create oversized classes, oversized grade levels or oversized cycles within the chosen school
- 4.2.2 Does not entitle the students to transportation other than that which is already provided within the boundaries from which the transfer is requested
- 4.2.3 Does not guarantee that the student will receive the same type of service that is provided at the student's boundary school
- 4.2.4 Cannot create a staffing need or lack thereof in either the sending or receiving school, nor can the request alter the viability of a given school identified in the Deed of Establishment
- 4.2.5 Cannot create any additional cost to the School Board

#### **4.3 The School Board reserves the right to waive the conditions outlined above should the psychological and/or social considerations of a particular case merit special consideration**

#### **4.4 The School Board reserves the right, in exceptional circumstances, to transfer any student(s) to another school within its jurisdiction**

#### **4.5 Transportation**

The School Board does not provide transportation to students who have been granted a cross-boundary transfer. However, transportation may be provided should all of the following apply:

- a) There is an already established route
- b) There is seating available on the bus
- c) There is no additional cost to the school board

**5. DIRECTIVES RELATED TO THE APPLICATION FOR A CROSS-BOUNDARY TRANSFER**

- a) A written application for a cross-boundary transfer must be made to the Director of Education in the manner and on the forms<sup>5</sup> prescribed by the School Board by March 1<sup>st</sup> of the preceding school year.
- b) Any requests made after the deadline of March 1<sup>st</sup> will not be considered until after September 30<sup>th</sup> of the given school year.
- c) Subject to the application of article 4.2.1 a decision in writing, may be rendered by August 15<sup>th</sup> by the Director General where the enrolment of a particular school is less than or equal to 80% of its maximum capacity.
- d) A final decision will be rendered following MEQ verification of the September 30<sup>th</sup> enrolment.
- e) Applications are made on an annual basis and are approved for 1 school year only.

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<sup>5</sup> See Annex 2

## ANNEX 1

### Relevant Sections of the Education Act

Choice of school.

**4.** Every student, or the student's parents if the student is not of full age, shall have the right to choose, every year, the school that best reflects their preferences from among the schools of the school board whose jurisdiction the student comes under that provide services to which the student is entitled.

Enrollment criteria.

The exercise of the right to choose a school is subordinate to the enrollment criteria established pursuant to section 239 where the number of applications for enrollment in a school exceeds the school's capacity, and, in the case of a school with a special project or a school having a regional or provincial role, subordinate to the enrollment criteria established by the school board pursuant to section 240 or 468.

Transportation services.

The exercise of the right does not entail the right to require transportation services where the transportation services required for the student concerned exceed the limits established by the school board.

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1988, c. 84, s. 4; 1990, c. 8, s. 1; 1997, c. 96, s. 4.

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.

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1988, c. 84, s. 39; 1997, c. 96, s. 13.

Immovables.

**211.** Each year, the school board shall establish a three-year plan of allocation and destination of its immovables. The plan shall be sent to each regional county municipality or urban community whose territory coincides wholly or partly with the territory or the school board.

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.

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1988, c. 84, s. 211; 1990, c. 8, s. 22; 1997, c. 96, s. 50.

#### Enrollment.

**239** “Each year, every school board shall enrol students in its schools in keeping with the choice of each student’s parents or the choice of the student, if of full age. However, if the number of applications for enrolment in a school exceeds the capacity of the school, enrolment shall be effected according to the criteria established by the school board after consultation with the parents’ committee.

#### Criteria

Enrolment criteria must give priority to students coming under the jurisdiction of the school board and, as far as possible, to students whose place of residence is nearest to the school premises. They must be adopted, put in force and sent to each Governing Board at least 15 days before the beginning of the student enrolment period.

#### Special project.

The conditions or criteria for participation in a special project may not serve as a criteria for the enrolment in a school; nor may they operate to exclude a student from the school of the student’s choice if the student has a right to enroll in that school pursuant to the criteria referred in the first paragraph.”

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1988, c. 84, s. 239; 1997, c. 96, s. 75.

Exceptions.

**241.1** For humanitarian reasons or to avoid a serious prejudice to a child who has not attained the age of admission, the school board may, following a request giving reasons therefor made by the parents, in cases determined by regulations of the Minister,

(1) admit the child to preschool education for the school year in which he attains 5 years of age, or admit him to elementary school education for the school year in which he attains 6 years of age;

(2) admit to elementary school education a child admitted to preschool education who has attained 5 years of age.

Minister's order.

In the event of refusal by the school board, the Minister may, at the request of the parents and if he considers it expedient on the grounds mentioned in the first paragraph, order the school board to admit the child, in the cases and subjects to the conditions prescribed in the first paragraph.

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1992, c. 23, s. 1.