



## REGISTER OF OFFICIAL DOCUMENTS

### POLICY ON SCHOOL DAYCARE AND LUNCH PROGRAM SERVICES

**Category and Code:** P-2.4

**Date of Coming into Force:**

**Number of Pages:** 28

**Origin:** Legal Department

**Operator and Storage Site:** Legal Department

**History:**

Adopted: June 1998  
Modified by Resolution 08-09-06  
Modified by Resolution XXXX-XX-XXX



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*Note the addenda are for reference and administrative purposes. Addenda are subject to updates and modifications without consultation.*

*In this policy, gender-neutral or collective form has been used whenever possible in the context.*

*For questions, comments or complaints concerning the application of this policy, you may contact the Complaints Officer or go to the LBPSB website at <https://www.lbpsb.qc.ca/council-of-commissioners/policies-and-by-laws/complaints-procedure>.*



## Policy on School Daycare and Lunch Program Services

The school board (LBPSB) recognizes its responsibility and role in organizing and managing quality school daycare and lunch program services in the elementary sector and the importance of promoting equity, diversity, dignity and inclusion in all aspects of its activities.

Throughout all its daycares, LBSPB implemented the SEED program<sup>1</sup> (Social and Educational Extended Day program) to align the social and educational learning of our students with the educational project and vision of the school, while providing an emotionally stable environment.

This policy outlines and defines the role of the school board as well as the roles of the various partners involved in the organization of the SEED program and lunch program services. It takes into account the applicable sections of the Education Act and the annual budgetary rules of the Ministère de l'Éducation du Québec (MEQ). Refer to the addenda for more information.

This policy consists of two sections:

1. School Social and Educational Extended Day program (SEED)
2. Lunch Program Services

### 1. School Social and Educational Extended Day program (SEED)

#### 1.1 Establishing a daycare service (SEED program)

Before requesting the establishment of a school daycare service (SEED program), the school administration will:

- a) Determine, by means of a survey, the needs of the parents.
- b) Review the school facilities for daycare (SEED program) use.
- c) Become familiar with the administrative procedures and regulations.
- d) Propose to the Governing Board the establishment of a daycare (SEED program).
- e) Upon approval, the Governing Board will submit a request to the school board to establish a daycare service (SEED program).

A minimum number of 20 students registered as regular users<sup>2</sup> is necessary for the establishment and maintenance of a school daycare service (SEED program).

<sup>1</sup> Refer to the definition at Addendum A

<sup>2</sup> Idem



## 1.2 Basic Criteria

- 1.2.1 Pre-school and elementary school students may be eligible for school daycare services (SEED program) during the school year if they are registered with our school board and receive instructional services.
- 1.2.2 The SEED program must be offered on school days. The service must offer a lunchtime period and an after-school period. A before-school period shall be offered when there is sufficient demand. The SEED program must be offered for a minimum of five hours a day and be available until 5:00 pm at the earliest. Note that in exceptional circumstances, the daycare may close earlier.  
  
In addition, depending on the needs of the school community and the availability of facilities and parental funding, the SEED program may be available on professional (i.e. pedagogical) days, during spring break and/or during the summer.
- 1.2.3 The SEED program must be self-financing. Therefore, the parents or guardians of children enrolled in the service must assume the costs that are not covered through the annual allocation from MEQ.
- 1.2.4 The school must allocate adequate facilities for the SEED program. The SEED program must also have access to other facilities in the school in order to carry out various activities e.g. art, physical activities, homework, etc.
- 1.2.5 If no space is available in a school for a daycare service, the school board must make facilities available in an alternate location.
- 1.2.6 When the number of children enrolled is not sufficient to establish a SEED program, the governing boards of two separate schools may enter into an agreement to provide a joint daycare service.
- 1.2.7 A document in which the rules of operation of the childcare services are set out shall be sent to the parent of a child registered for the service at the time of registration and each time a change is made to the document.

The document shall include:

- (1) the terms and conditions for the arrival and departure of children;
- (2) the days and hours the service is open;



- (3) the dates of the pedagogical days and days outside the school year during which childcare services are scheduled, and the manner in which the parents are to be informed of the addition of such days;
- (4) the various terms and conditions for attending the childcare service that are possible and for changing the attendance established;
- (5) the financial contributions payable and the terms of payment;
- (6) the special rules of conduct or behaviour of the childcare service;
- (7) the cases and conditions of suspension or exclusion of a child;
- (8) the terms for closing childcare services in the event of bad weather or superior force.

Parents of children registered in the childcare service and the school staff members must also be provided with the SEED program of activities.

### 1.3 Parents' Financial Contribution

1.3.1 The parental contribution for regular SEED users is determined by the Regulation respecting childcare services provided at school. Students who are regular users are entitled to the following:

- a) Up to five hours of SEED program during a regular school day.
- b) Up to ten hours of SEED program on a professional day.

1.3.2 A school daycare may charge for services in excess of the regular hours, but they must be reasonable and based upon the actual costs incurred. A school daycare may also charge an additional amount for special activities on a pedagogical day (refer to Addendum D).

No financial contribution may be required for services of an administrative nature related to childcare, in particular those relating to registration or the opening of a file, or for using technological means of communication, however fees for failure to pay or a late payment may be charged. Refer to addendum D for more information.



#### 1.4 Daycare Parents' Committee

1.4.1 The Governing Board, at the request of parents, shall form a daycare parents' committee composed of the daycare provider, the principal or their representative and three to five parents elected by and from among the parents of students attending daycare. Parents of students not registered to the SEED program (i.e., students attending the Lunch Program only) are not admissible.

1.4.2 Where it exists, the daycare parents committee must be consulted by the Governing Board on the daycare's program of activities.

The daycare parents' committee must also be consulted before any financial contribution is required of parents for an outing or activity during a pedagogical day or for a period of childcare services offered during a day school day but outside the usual before-class, lunch and after-class periods.

## 2. Lunch Program

2.1 All elementary schools must offer a self-financed lunch program that specifically meets the needs of the school population it serves.

2.2 The lunch program in elementary schools must be offered to all pre-school and elementary students who are registered in that school and not registered in the SEED program. This service is to be provided in a safe environment and be supervised by qualified staff.

2.3 Lunch program fees shall be determined in accordance with the Regulation respecting free instructional material and certain financial contributions that may be required. Refer to addendum D for more information.



## Addendum A - Definitions

- (i) **School SEED program:** The SEED program is a program for pre-school and elementary school children that takes place outside class hours. It is an integral part of the services provided by the school and must be self-financed. The SEED program complements the educational services provided by the school. In order to provide a complementary service at the school and ensure continuity in its educational mission, a program of activities for school daycare services, coherent with the school's Educational Project, must be established<sup>3</sup>. The SEED program is to be provided in a safe environment and must be supervised by qualified staff.
- (ii) **Regular user:** A regular user is a student attending the SEED program for the lunchtime period and either a before-class period, an after-class period, or both at least one day per week.

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<sup>3</sup> Section 4 of the Regulation respecting childcare services provided at school.



## Addendum B - Sections from the Education Act

### 1. Sections from the Education Act

Up to date as of May 2023

#### EDUCATION ACT

##### Note from the Quebec Official Publisher

On 10 August 2020, the Superior Court ordered a stay of the application of the [Act to amend mainly the Education Act with regard to school organization and governance \(2020, c. 1\)](#) to [English](#) language school boards until a judgment is rendered on the merits of the application for judicial review challenging the validity of certain provisions of the Act.

See the Regulation respecting the postponement of the designation and taking office of members of school service centres' boards of directors and the coming into force of certain provisions, Order in Council 522-2020 dated 13 May 2020, (2020) G.O. 2, 1391A.

See also the Regulation respecting the application of provisions of the [Act to amend mainly the Education Act with regard to school organization and governance](#) to [English](#)-language school service centres, Order in Council 1077-2021 dated 4 August 2021, (2021) G.O. 2, 3369.

**74.** The governing board shall analyze the situation prevailing at the school, principally the needs of the students, the challenges tied to student success and the characteristics and expectations of the community served by the school. Based on the analysis and taking into account the commitment-to-success plan of the school board, the governing board shall adopt the school's educational project, oversee the project's implementation and evaluate the project at the intervals specified in it.

Each of these stages shall be carried out through concerted action between the various participants having an interest in the school and in student success. To that end, the governing board shall encourage the collaboration of students, parents, teachers, other school staff members, and community and school board representatives.

1988, c. 84, s. 74; 1997, c. 96, s. 13; 2002, c. 63, s. 6; 2008, c. 29, s. 4; 2016, c. 26, s. 4.

**75.** The governing board shall send the school's educational project to the school board and make it public on the expiry of 60 to 90 days after sending it or of another period if the governing board and school board so agree. It shall also make public the evaluation of the school's educational project. The educational project and any evaluation of it shall be communicated to the parents and the school staff.

The educational project takes effect on the date of its publication.

1988, c. 84, s. 75; 1997, c. 96, s. 13; 2002, c. 63, s. 7; 2016, c. 26, s. 5.

**75.0.1.** The governing board is responsible for approving any financial contribution, proposed by the principal, required under section 3, the third paragraph of section 7 or the third paragraph of section 292. Before approving any contribution, the governing board shall take into account the other contributions that it has approved or that are being proposed to it.





The proposals relating to contributions required under section 3 or the third paragraph of section 7 shall be developed in collaboration with the teachers and be accompanied by a justification for the nature and amount of the required fees.

A required contribution may not exceed the actual cost of the good or service concerned.

2019, c. 9, s. 3.

**76.** The governing board is responsible for approving the rules of conduct and the safety measures proposed by the principal.

In addition to the elements the Minister may prescribe by regulation, the rules of conduct must specify

- (1) the attitudes and conduct that are required of students at all times;
- (2) the behaviours and verbal or other exchanges that are prohibited at all times, including during school transportation, regardless of the means used, including social media; and
- (3) the applicable disciplinary sanctions, according to the severity or repetitive nature of the prohibited act.

The rules of conduct and the safety measures must be presented to the students during a civics session held each year by the principal in collaboration with the school staff, and must be sent to the parents at the beginning of each school year.

1988, c. 84, s. 76; 1990, c. 78, s. 54; 1997, c. 96, s. 13; 2012, c. 19, s. 5.

**77.1.** Based on the principal's proposal, the governing board shall establish the principles for determining the cost of the documents referred to in the third paragraph of section 7. Those principles are taken into account when the choice of textbooks and instructional materials must be approved under subparagraph 3 of the first paragraph of section 96.15.

The governing board shall also approve the list, proposed by the principal, of the material for personal use referred to in the fourth paragraph of section 7. That list shall be developed in collaboration with the teachers.

The principles are established and the list is approved, taking into consideration the school board's policy adopted under section 212.1 and the other financial contributions that may be claimed for services referred to in sections 256 and 292.

**80.** The governing board may, within the scope of its powers, enter into an agreement with another educational institution of the school board concerning the pooling of goods and services or the holding of joint activities.

1988, c. 84, s. 80; 1990, c. 78, s. 34, s. 54; 1997, c. 58, s. 47; 1997, c. 96, s. 13.

**95.** The governing board is responsible for adopting the school's annual budget proposed by the principal, and shall submit the budget to the school board for approval.

1988, c. 84, s. 95; 1997, c. 47, s. 1; 1997, c. 96, s. 13.

**96.20.** 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.

1997, c. 96, s. 13.



**96.21.** 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.

1997, c. 96, s. 13; 2000, c. 24, s. 24; 2012, c. 19, s. 13.

**96.24.** 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.

**256.** At the request of the governing board of a school, a school board must provide childcare for preschool and elementary school students, in the manner agreed with the governing board, on the school premises or, if the school does not have suitable premises, on other premises.

If childcare is so provided, the governing board shall, at the request of parents, form a childcare parents' committee that is composed of the childcare provider, the principal or his representative and three to five parents elected by and from among the parents of students attending childcare. The committee may make recommendations to the principal, governing board and school board regarding childcare services, including the financial contributions required for those services.

1988, c. 84, s. 256; 1989, c. 59, s. 28; 1996, c. 16, s. 66; 1997, c. 58, s. 49; 1997, c. 96, s. 91; 2019, c. 9, s. 10.

**258.** The school board may hire staff and enter into agreements for the purposes of sections 255 to 257. In addition, it may require a financial contribution from users of the services it provides.

1988, c. 84, s. 258; 1992, c. 23, s. 3; 1995, c. 43, s. 46; 1997, c. 58, s. 50; 1997, c. 96, s. 93.

**292.** Student transportation provided by a school board before the beginning of classes and after the end of classes each day is free of charge. Where the transportation is provided under a contract with a public transit authority or with the holder of a bus transport permit, within the meaning of government regulation, the school board may claim from a student that portion of the cost of the transportation pass which corresponds to service in addition to service before the beginning of classes and after the end of classes each day.



A school board that provides student transportation at noon to allow students to have their meal at home may claim the cost thereof from the students who elect to use that service.

Whether or not a school board provides transportation at noon to allow students to have their meal at home, it is required to ensure, in the manner agreed upon with the governing boards and on such financial conditions as it may determine, supervision of the students who stay at school. 1988, c. 84, s. 292; 1990, c. 78, s. 9, s. 54; 1997, c. 96, s. 108.

## **2. Regulation respecting childcare services provided at school**

### **EDUCATION ACT**

([chapter I-13.3](#), s. 454.1).

#### **Note from the Quebec Official Publisher**

*On 10 August 2020, the Superior Court ordered a stay of the application of the [Act to amend mainly the Education Act with regard to school organization and governance \(S.Q. 2020, c. 1\)](#) to English language school boards until a judgment is rendered on the merits of the application for judicial review challenging the validity of certain provisions of the Act.*

*See also the Regulation respecting the postponement of the designation and taking office of members of school service centres' boards of directors and the coming into force of certain provisions, O.C. 522-2020, 2020 G.O. 2, 1391A.*

### **CHAPTER I**

#### **NATURE AND OBJECTIVES OF CHILDCARE SERVICES**

**1.** Childcare services provided at school shall be offered to children at the preschool and elementary level of a school service centre, outside the periods where educational services are provided to them.

They shall be part of the children's environment and contribute, in accordance with the educational project of the school, to their global development.

O.C. 1316-98, s. 1; O.C. 1053-2022, s. 1.

**2.** The following are the objectives pursued by childcare services provided at school:

(1) looking after the children's well-being and offering an atmosphere conducive to their development;

(2) providing support to children's families, particularly by offering to those who wish, an adequate place and, where possible, the necessary support to allow them to do their homework after class;

(3) providing health and safety to children in keeping with the rules of conduct and safety measures approved by the governing board of the school, in accordance with [section 76](#) of the [Education Act \(chapter I-13.3\)](#).

O.C. 1316-98, s. 2; O.C. 1053-2022, s. 2.

### **CHAPTER II**

#### **GENERAL ORGANIZATIONAL FRAMEWORK**



## **DIVISION I**

### **GENERAL**

O.C. 1316-98, Div. I; O.C. 1053-2022, s. 3.

**2.1.** The principal shall take the measures necessary to ensure that the provisions of this Regulation are complied with.

O.C. 1053-2022, s. 4.

**3.** Childcare services shall be offered every day of the school year devoted to educational services, but outside the periods devoted to those services, in the manner, such as the schedule, agreed with the school service centre and the governing board in accordance with [section 256](#) of the [Education Act \(chapter I-13.3\)](#).

That school service centre and the governing board may also agree to offer services outside the days of the school year devoted to educational services, particularly during pedagogical days and school break week.

O.C. 1316-98, s. 3.

**4.** A document in which the rules of operation of the childcare service are clearly set out shall be sent to the parent of a child registered for the service. The document shall be sent at the time of registration and each time a change is made to the document.

The document shall include

- (1) the terms and conditions for the arrival and departure of children;
- (2) the days and hours the service is open;
- (3) the dates of the pedagogical days and days outside the school year during which childcare services are scheduled, and the manner in which the parents are to be informed of the addition of such days;
- (4) the various terms and conditions for attending the childcare service that are possible and for changing the attendance established;
- (5) the financial contributions payable and the terms of payment;
- (6) the special rules of conduct or behaviour of the childcare service;
- (7) the cases and conditions of suspension or exclusion of a child;
- (8) the terms for closing childcare services in the event of bad weather or superior force.

O.C. 1316-98, s. 4; O.C. 1053-2022, s. 5.

### ***In force: 2023-07-01***

**4.1.** The principal shall ensure that a program of activities is established and implemented.

The program of activities shall be coherent with the school's educational project. It shall take into account the characteristics of the children and allow their global physical and motor, emotional, social, language and cognitive development.

The program of activities shall first be submitted for an opinion to the childcare parents' committee, where a committee is established, as well as to the governing board. It shall be updated periodically and made public, particularly by sending it to the parents of children registered in the childcare service and to school staff members.

O.C. 1053-2022, s. 5.



## DIVISION II STAFF

**5.** Childcare staff members must hold a document, dating back not more than 3 years, attesting that the person has successfully completed:

- (1) a general first aid course lasting at least 8 hours; or
- (2) a refresher course lasting at least 6 hours intended to update the knowledge acquired in the course mentioned in paragraph 1.

O.C. 1316-98, s. 5.

## DIVISION III HEALTH AND SAFETY

O.C. 1316-98, Div. III; O.C. 1053-2022, s. 7.

**6.** The number of children per childcare staff member in a childcare service provided at school shall not exceed 20 children present.

O.C. 1316-98, s. 6.

**7.** Where only one childcare staff member is present in a childcare service, the principal shall ensure that someone is available to replace that member if he is obliged to leave due to an emergency.

O.C. 1316-98, s. 7.

**8.** If an illness or a serious accident occurs, a childcare staff member shall immediately call for medical assistance, in particular, by contacting the emergency services or Info-Santé. As soon as possible, the person shall notify the parent of the child or any other person the parent has designated in the registration card.

O.C. 1316-98, s. 8; O.C. 1053-2022, s. 9.

**9.** Medication, toxic products and household cleaning products shall be locked in a storage area intended specifically for that purpose, out of reach of children and away from food.

O.C. 1316-98, s. 9; O.C. 1053-2022, s. 10.

**10.** A list of the following telephone numbers shall be posted near the telephone:

- (1) the Centre anti-poison du Québec;
- (2) the emergency services;
- (3) the Info-Santé service;
- (4) the nearest health services and social services centre or the centre serving the territory;
- (5) *(subparagraph replaced)*;
- (6) *(subparagraph replaced)*.

The following must also be kept close to the telephone:

- (1) a list of the telephone numbers of the regular staff members and their replacements, if any; and
- (2) a list of the telephone numbers of the parent of each child and those, according to registration cards, of other persons to contact in case of emergency.

O.C. 1316-98, s. 10; O.C. 1053-2022, s. 11.

**11.** During outings outside the premises of the childcare service, the principal shall take particular measures to ensure the safety of children, in compliance with the rules of conduct and safety measures approved by the governing board, in accordance with [section 76](#) of the [Education Act \(chapter I-13.3\)](#).

O.C. 1316-98, s. 11.



**12.** The principal shall ensure that the premises, equipment, furnishings and playthings used by the childcare service are in good condition, safe and adapted to the needs of the children. As part of the proposition concerning the use of premises or immovables made available to the school submitted by the principal to the governing board in accordance with [section 93](#) of the [Education Act \(chapter I-13.3\)](#), the principal shall provide for a sufficient number of premises for childcare services. The principal may, to that end, resort to the sharing of premises.  
O.C. 1316-98, s. 12; O.C. 1053-2022, s. 12.

**13.** The principal shall ensure that childcare staff members have a first-aid kit that is kept out of reach of children.  
O.C. 1316-98, s. 13.

**14.** Childcare staff members shall ensure that each child leaves the centre with his parent or any other person authorized to pick up the child, unless the parent has agreed, in writing, to allow the child to return home by himself. Every departure of a child shall comply with the terms and conditions provided for that purpose in the rules of operation determined under [section 4](#).  
O.C. 1316-98, s. 14; O.C. 1053-2022, s. 13.

#### **IV** REGISTRATION AND ATTENDANCE CARDS

**15.** The principal shall ensure that a registration card of each child attending childcare services is kept and put at the disposal of childcare staff members at all times. A registration card of all the children attending childcare services shall also be kept and updated daily. A parent has a right of access, on request, to the cards, as it concerns the parent's child, or a right to receive written or verbal communication thereof.  
O.C. 1316-98, s. 15; O.C. 1053-2022, s. 14.

**16.** The registration card shall contain the following information:

- (1) the name, address and telephone number of the child;
- (2) the name, address and telephone number of the parent, and that of a person authorized to pick up the child and those of another person to contact in case of emergency;
- (3) the child's grade for the school year concerned;
- (4) the date of admission of the child and the periods of attendance planned per week; and
- (5) data respecting the health and feeding of the child that may require special care and, where applicable, the name, address and telephone number of the physician and of the establishment where the child generally receives care.

O.C. 1316-98, s. 16; O.C. 1053-2022, s. 15.

**17.** The attendance card of each child shall contain the following information:

- (1) the name of each child;
- (2) his periods of attendance planned per week; and
- (3) his dates and hours of attendance.

O.C. 1316-98, s. 17.



## **DIVISION IV.1**

### **FINANCIAL CONTRIBUTIONS**

O.C. 1053-2022, s. 16.

**17.1.** The financial contribution required for children registered for childcare services for a period during a day of the school year devoted to educational services may not exceed the amount obtained by multiplying \$3 by the total number of hours of that period.

The financial contribution required for children registered for childcare services for more than 1 period during such a day, among the usual before-class, lunch and after-class periods, may not exceed \$8.95.

The amount referred to in the second paragraph does not include the financial contribution that may be required where the childcare services are offered for more than 5 hours during such a day. The additional financial contribution may not exceed the amount obtained by multiplying \$3 by the total number of hours offered beyond 5 hours on the same day.

O.C. 1053-2022, s. 16.

**17.2.** The financial contribution required for children registered for childcare services on a pedagogical day may not exceed \$15.30.

The amount does not include the financial contribution that may be required where the childcare services are offered for more than 10 hours during such a day. The additional financial contribution may not exceed the amount obtained by multiplying \$3 by the total number of hours offered beyond 10 hours on the same day.

The amount also does not include the financial contribution that may be required for outings, for activities similar to an outing conducted with the participation of a person who is not a childcare staff member or for a special activity organized by the childcare staff and involving additional costs. The additional financial contributions required for such outings or activities must comply with the policy on financial contributions provided for in [section 212.1](#) of the [Education Act \(chapter I-13.3\)](#) and may not exceed the actual cost.

O.C. 1053-2022, s. 16.

**17.3.** The financial contribution required for children attending childcare services during the school break week or any other day not referred to in [section 17.1](#) or [17.2](#) may not exceed the actual cost of the service, including any outing or activity.

O.C. 1053-2022, s. 16.

**17.4.** An additional financial contribution not exceeding the actual cost may be required where a child is attending the childcare services beyond the hours the service is open.

O.C. 1053-2022, s. 16.

**17.5.** The governing board must consult the childcare parents' committee, where a committee is established, before requiring any financial contribution for

- (1) an outing or activity during a pedagogical day; or
- (2) a period of childcare services offered during a day devoted to educational services outside the usual before-class, lunch and after-class periods.

O.C. 1053-2022, s. 16.



**17.6.** No financial contribution may be required for services of an administrative nature related to childcare, in particular those relating to registration or the opening of a file, or for using technological means of communication.

The first paragraph does not prevent charging fees for failure to pay or a late payment.

O.C. 1053-2022, s. 16.

**17.7.** The amounts referred to in this Division shall be indexed on 1 July of each year by a rate corresponding to the annual change in the overall average Québec consumer price index, excluding alcoholic beverages, tobacco products and recreational cannabis, for the 12-month period ending on 31 March of the preceding year. The result shall be rounded to the nearest multiple of \$0.05 or, if it is equidistant from two such multiples, to the higher of the two. The Minister shall publish the result of the indexation in the *Gazette officielle du Québec*.

O.C. 1053-2022, s. 16.

## **DIVISION V**

*(Revoked)*

O.C. 1316-98, Div. V; S.Q. 2019, c. 9, s. 15.

**18.** *(Revoked)*.

O.C. 1316-98, s. 18; S.Q. 2019, c. 9, s. 15.

## **DIVISION VI**

TRANSITIONAL AND FINAL

**19.** *(Obsolete)*.

O.C. 1316-98, s. 19.

**20.** *(Omitted)*.

O.C. 1316-98, s. 20.

### TRANSITIONAL

2022

**(O.C. 1053-2022) SECTION 17.** Section 5 of the Regulation respecting childcare services provided at school, as amended by section 6 of this Regulation, applies to the holder of an attestation valid on 1 July 2023 only as of the obtaining of a new attestation in accordance with the time period provided for therein.

Section 17.7 of the Regulation respecting childcare services provided at school, made by section 16 of this Regulation, applies from the school year 2023-2024.

## REFERENCES

O.C. 1316-98, 1998 G.O. 2, 4288

S.Q. 2019, c. 9, s. 15

[S.Q. 2020, c. 1, s. 312](#)

O.C. 1053-2022, 2022 G.O. 2, 1972





### **3. Regulation respecting free instructional material and certain financial contributions that may be required (EXTRACT RELATING TO FEES)**

#### **EDUCATION ACT**

([chapter I-13.3, s. 3](#), 4th par., s. 7, 3rd par. and s. 457.2.1; S.Q. 2019, c. 9, ss. 1, 2 and 13).

#### **Note from the Quebec Official Publisher**

*On 10 August 2020, the Superior Court ordered a stay of the application of the [Act to amend mainly the Education Act with regard to school organization and governance \(S.Q. 2020, c. 1\)](#) to English language school boards until a judgment is rendered on the merits of the application for judicial review challenging the validity of certain provisions of the Act.*

*See also the [Regulation respecting the postponement of the designation and taking office of members of school service centres' boards of directors and the coming into force of certain provisions, O.C. 522-2020, 2020 G.O. 2, 1391A.](#)*

(...)

#### **STANDARDS RELATING TO CONTRIBUTIONS THAT MAY BE REQUIRED**

M.O. 2019-06-07, Div. IV.

**8.** The governing board must implement measures to facilitate access by each student to all services, activities or materials for which financial contribution is approved under [section 75.0.1](#) of the [Act](#).

The governing board must also inform the school service centre of all financial contributions approved under that section.

M.O. 2019-06-07, [s. 8](#).

**9.** Every financial contribution required for a service referred to in [section 3](#), for an activity referred to in [section 4](#), for material to which the right of free use does not apply or for the supervision of students at lunch time must be the subject of a clear and detailed invoice. Where a voluntary contribution or a donation is requested, no amount related to it may be included in the total indicated on the invoice.

M.O. 2019-06-07, [s. 9](#); M.O. 2022-002, [s. 1](#).

**10.** No financial contribution may be required for a service, activity or material that is subject to financing provided for in the budget rules determined by the Minister, such as paper tissues and other items required to be supplied for health or hygiene reasons.

Such financing must be deducted from the amount of the financial contribution required where it covers part of the expenses incurred.

M.O. 2019-06-07, [s. 10](#).

**11.** No supplier or specific brand may be imposed with reference to material for a student's personal use, other than activity or exercise books.

M.O. 2019-06-07, [s. 11](#).



**11.1.** The financial contribution required for the supervision of a child at the preschool and elementary school level at lunch time must be determined by taking into account the number of days during which the child stays at school for lunch. That number is established with the parents, according to the conditions set by the school service centre.

In addition to the actual cost of the service, the financial contribution may not exceed the amount obtained by multiplying \$3 by the total number of hours of the lunch period.

The amount provided for in the second paragraph is adjusted on 1 July of each year by a rate corresponding to the annual change in the overall average Québec consumer price index without alcoholic beverages, tobacco products and recreational cannabis for the 12-month period ending on 31 March of the preceding year. The result is rounded to the nearest multiple of \$0.05, or if it is equidistant from two such multiples, to the higher of the two. The Minister publishes the result of the adjustment in the *Gazette officielle du Québec*.

M.O. 2022-002, s. 2.

**11.2.** No financial contribution may be required for the supervision of a secondary school student at lunch time when the student eats lunch throughout the school year outside the premises of the educational institution the student attends, except those lunch periods where educational services are offered to the student, and the student's parents so notify in writing the school service centre.

M.O. 2022-002, s. 2.



## Addendum C - Roles and Responsibilities

### 1. School Social and Educational Extended Day program Services (SEED)

#### 1.1 Ministère de l'Éducation du Québec (MEQ)

- a) Analyzes proposals from school boards for the establishment or renewal of daycare services.
- b) Determines which grants the daycare services are entitled to.
- c) Ensures that school boards have the information they need to organize daycare services.
- d) Ensures that daycare services are made available in compliance with the Education Act and the Regulation Respecting Childcare Services Provided at School<sup>4</sup>.
- e) Ensures that school boards conform to the budgetary rules in force.
- f) May establish a monitoring/auditing system, using a sampling approach or monitoring all daycare services in its territory.

#### 1.2 School Board

- a) Ensures communication with MEQ.
- b) Considers a school's request for the establishment of a daycare service.
- c) Hires a resource person to assist schools in the establishment and maintenance of their daycares (SEED program).
- d) Monitors/audits the organization and maintenance of a daycare service.
- e) Determines a fee based on a percentage of actual SEED program staff and/or lunchtime staff salaries. This fee is used to cover payroll and banking costs and forms a pool for daycares to draw on to cover the full salary of employees who fall onto short and long term disability, Commission des normes de l'équité de la santé et de la sécurité au travail (CNESST) and maternity leaves.
- f) Periodically studies the fees charged to parents for the SEED program at each school.
- g) Supports the principal with respect to the quality and enhancement of the SEED program.

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<sup>4</sup> [CQLR c I-13.3, r 11 | Regulation respecting childcare services provided at school | CanLII](#)



- h) Establishes rules and criteria for hiring SEED program and Lunch program personnel, taking into account the qualifications required, the stipulations of the recall list and the collective agreement.
- i) Recruits and hires staff in consultation with the principal and in accordance with the legal requirements, its rules and criteria and the provisions of the collective agreement.
- j) Ensures that there is at least one childcare staff member per twenty children at a school daycare service.

### 1.3 Governing Board

- a) Submits a request to the school board for the initial establishment of a daycare service (SEED program) on school premises as per Section 256 of the Education Act.
- b) Approves field trips organized by the daycare after consulting with the daycare parents' committee, where one exists, for activities taking place on pedagogical days or during school days outside the usual before-class, lunch and after-class periods.
- c) Adopts the school's annual budget, which includes the SEED program and Lunch program services and takes into account the financial contribution required from the parent users.
- d) Must establish a SEED parents' committee (if requested by at least three parents who use the daycare service).
- e) Informs the school board of the closure of the daycare service.
- f) May enter into an agreement with another school's governing board to provide a joint SEED program if required.
- g) Advises the school board of any matter likely to improve the organization of the daycare service.
- h) Informs the community of the daycare services and its SEED program provided by the school.
- i) Approves the rules of conduct and safety measures proposed by the principal.

### 1.4 Principal

- a) Organizes and maintains the daycare service (SEED program) in compliance with the Regulation respecting childcare services provided at school, the Education Act and this policy.
- b) Ensures the quality of the services provided.



- c) Ensures the sound management of the human, financial and material resources.
- d) Ensures that a program of activities is established, presented to the Governing Board and the Daycare Parents' Committee, where one exists for consultation and makes it public.
- e) Informs the school board, after consulting the governing board, of the daycare service (SEED program) needs regarding goods, services and facilities.
- f) Ensures that parents are informed that a daycare parents' committee may be established.

#### Human Resources:

- a) Screens and selects staff in accordance with the legal requirements, the school board's rules and criteria and the provisions of the collective agreement.
- b) Ensures that there is at least one childcare staff member per twenty children at a school daycare service.

#### Financial & Material Resources:

- a) Determines the minimum level necessary fees to recover the annual costs.
- b) Prepares the annual budget for the daycare service and submits it to the school Principal who makes a proposal for adoption to the Governing Board.
- c) Administers the budget of the daycare service and provides accounting records to the school Principal.
- d) Completes the application for MEQ funding and informs of the amounts approved by September of each year.

#### 1.5 SEED program Technician

- a) Is responsible for overseeing the day-to-day operations of the SEED program and lunch program services and ensures a safe and secure environment for students inside and outside the school environment.
- b) Ensures compliance with the school board's policies and applicable regulations.
- c) Co-ordinates the work of the SEED/lunch staff.



- d) Provides parent users with the rules and regulations of the SEED program and lunch program services, as well as the fee structure for each program, upon registration. Also provides information regarding the formation of a daycare parents' committee.
- e) Registers students and collects the SEED program/lunch program fees.
- f) Maintains attendance sheets, updates them daily and makes them available to the parent upon request.
- g) Assists the principal with the financial and material resources management.
- h) Helps the principal assess human resource needs.
- i) Makes suggestions and recommendations regarding the rules of operation and informs the parent users of these rules.
- j) Ensures communication between parent users and school administration, and between the SEED program and lunch program services and the various other internal services and external bodies.
- k) Submits any requests, complaints or suggestions they have received to the appropriate authorities.
- l) Prepares and conducts SEED program and lunch program services staff meetings.
- m) Prepares and conducts information evenings for parents.
- n) Assists in the physical and material organization of the SEED program and lunch program services.
- o) Purchases materials and equipment according to established procedures.
- p) Plans, develops and evaluates the SEED program and lunch program services activities.
- q) Ensures that a member of the school SEED program staff, elected by their peers, sits on the governing board.
- r) May be asked to take part in the planning of Individual Education Plans (IEP) for students with special needs.
- s) Chairs the Daycare Parents' Committee (if applicable)



### 1.6 SEED program Educator

- a) Ensures the well-being and safety of the children in the SEED program and lunch program services.
- b) Plans, conducts and participates in the planning and preparation of educational and recreational activities, projects and outings.
- c) Ensures that the materials and facilities are clean and well maintained.
- d) Ensures that the SEED program and lunch program services run smoothly and efficiently in accordance with the policies and procedures of the school board and daycare service.
- e) Takes part in SEED program meetings.
- f) May be asked to take part in the planning of Individual Education Plans (IEP) for students with special needs.

### 1.7 Daycare Parents' Committee

- a) Is formed by the governing board upon the request of at least three parents who use the service.
- b) Is chaired by the SEED program Technician.
- c) Is an advisory body.
- d) Provides a forum for consultation and feedback.
- e) Transmits suggestions and recommendations to the principal or the governing board.
- f) Is a liaison for all parents who use the daycare service (SEED program).
- g) Focuses on the quality of the services and may make recommendations in respect to the rules of operation, special projects, needed changes or any other aspect of the daycare.
- h) Must be consulted on the SEED program of activities as well as before any financial contribution is required of parents for an outing or activity during a pedagogical day or for a period of childcare services offered during a day school day but outside the usual before-class, lunch and after-class periods.
- i) May contribute to the development of innovative projects.
- j) Will write a year-end report, and after being reviewed by the principal and the Governing Board, the report will be sent to all parent users.



## 1.8 Parents

- a) Are encouraged to work with the staff of the SEED program and lunch program services as part of a team in order to provide the best service to the child (children).
- b) Register their child (children) on an annual basis.
- c) Pay the SEED program /lunch program fees.
- d) Ensure that all necessary pertinent information is provided.
- e) Reinforce the school's code of conduct with their child (children).

## 1.9 Students

- a) Co-operate with staff and other students.
- b) Participate in the program with a positive attitude.
- c) Adhere to the school's code of conduct.

## 2.0 Lunch Program

### 2.1 School Board

- a) Hires a resource person to assist schools in the establishment and maintenance of their lunch program.
- b) Monitors/audits the organization and maintenance of a lunch program service.
- c) Determines a fee based on a percentage of actual SEED program and lunchtime program salaries. This fee is used to cover payroll and banking costs and forms a pool for daycares to draw on to cover the full salary of employees who fall onto short and long term disability, CNESST and maternity leaves.
- d) Periodically studies the fees charged to parents for lunch program services at each school.
- e) Supports the principal with respect to the quality and enhancement of the lunch program service.





## 2.2 Governing Board

- a) After studying the budget as proposed by the principal, and where required, after having consulted the SEED parents' committee (where one exists), approves the financial contribution required from the parents.
- b) Adopts the school's annual budget, which includes the lunch program financial contribution required from the parent users.

## 2.3 School Principal

- a) Determines the lunch period schedule as well as the organization of activities.
- b) Establishes a supervisor/student ratio in accordance with the regulations and collective agreements in force while taking into account safety and self-financing criteria
- c) Sets up a system for monitoring lunch attendance.
- d) Selects the lunch hour staff in accordance with the hiring policy of the school board and the provisions of the collective agreement.
- e) Sets the level of the financial contribution required from the parents and submits it to the governing board for approval.
- f) Administers the budget of the lunch program.
- g) Manages the human and financial resources.

## 2.4 SEED program Technician

- a) Is responsible for overseeing the day-to-day operations of the SEED program and lunch program services and ensures a safe and secure environment for students inside and outside the school environment.

## 2.5 Lunchtime Student Supervisor

- a) Ensures the well-being and safety of the children in the lunch program service.
- b) Ensures that the materials and facilities are clean and well maintained.
- c) Ensures that the lunch program service runs smoothly and efficiently in accordance with the policies and procedures of the school board.
- d) Informs the SEED program technician of a student's inappropriate behaviour.
- e) Takes part in lunch time meetings, if necessary.



## Addendum D - Fees Charged to Parents and Budget Rules

### Summary

**Note: all amounts indicated in this section originate from the Regulation respecting childcare services provided at school as published in June 2022 and are subject to the yearly indexation decided by the Government and published in the Gazette Officielle du Québec.**

#### 1. Daycare services (SEED program) fees

Parents' financial contribution for daycare services (SEED program), based on the Regulation respecting childcare services provided at school, is established as follows:

##### a) Regular days (possibility of registering to 3 periods: before class, lunch period and/or after-class period):

- Students registered for 1 period a day: the financial contribution requested may not exceed the amount obtained by multiplying \$3 by the total number of hours of that period.
- Students registered for more than 1 period a day: the total amount may not exceed \$8.95 per day.
- Services provided for more than 5 hours during a regular day: an additional financial contribution which may not exceed the amount obtained by multiplying \$3 by the total number of hours offered beyond 5 hours on the same day may be requested.

##### b) Pedagogical days:

- Daycare services (SEED program) of 10 hours or less: the financial contribution may not exceed \$15.30 per day.
- More than 10 hours: the additional financial contribution may not exceed the amount obtained by multiplying \$3 by the total number of hours offered beyond 10 hours on the same day.



c) Activities organized during pedagogical days:

- An additional financial contribution may be required for outings, for activities similar to an outing conducted with the participation of a person who is not a SEED staff member or for a special activity organized by the SEED staff and involving additional costs.
- The additional contribution may not exceed the actual cost of the outing or activity so organized.

d) Activities organized on non-pedagogical days where educational services are not provided:

- The financial contribution required during the school break week or any other non-pedagogical day where educational services are not provided (for example, during summer) may not exceed the actual cost of the service, including the cost of any outing or activity.

1. Additional daycare service (SEED program) fees which may be charged:

- The actual cost beyond the hours the service is open;
- Fees for failure to pay or a late payment.

2. Fees which may **not** be charged:

- Services of an administrative nature related to daycare services, in particular those relating to registration or the opening of a file, or for using technological means of communication.

3. Indexation:

- The amounts indicated in this section can be indexed each year on July 1 based on the indexation rate published by the Minister in the *Gazette officielle du Québec*.

2. Lunch Program Fees

School boards must ensure supervision of students who stay at school during the lunch hour, whether or not student transportation is available. They may impose a fee for this service, but such a fee may be imposed only on those students who stay at school, and not on students who leave the school premises every day and return once the lunch hour period is over, in accordance with the Regulation respecting free instructional material and certain financial contributions that may be required and the following conditions:



## LUNCH PROGRAM CONDITIONS

- 1) At the beginning of the school year and for each student, the school will establish with their parents the student's regular lunch schedule (days of the week that the student will stay at school for lunch on a regular basis). The parents will be charged in accordance with this schedule.
- 2) In the exceptional case that a child stays at school for lunch outside their schedule, the amount charged to the parents will be based on the cost of that service or additional service used, as applicable.
- 3) For days when the child is scheduled but does not stay for lunch, the parents will be charged in accordance with the agreed schedule unless the absence lasts more than five (5) consecutive days and a medical note is provided.

For students not registered to the Daycare Program, lunch hour supervision fees are charged separately to parents and are established as follows:

- At the elementary level, the supervision fees may not exceed the actual cost of the service added to the amount obtained by multiplying 3\$ by the number of hours of the lunch period. This amount can be indexed each year on July 1 based on the indexation rate published by the Minister in the Gazette officielle du Québec
- At the secondary level, no financial contribution may be required for the supervision of a secondary school student at lunch time when the student eats lunch throughout the school year outside the premises of the educational institution the student attends, except those lunch periods where educational services are offered to the student, and the student's parents so notify the School Board in writing.

## BUDGET RULES

Budget rules, including the allocation Mesure 30010 – Childcare services – are found on the MEQ website: <http://www.education.gouv.qc.ca/references/tx-solrtyperecherchepublicationtx-solrpublicationnouveaute/resultats-de-la-recherche/detail/article/regles-budgetaires-commissions-scolaires/>