



*REGULATION RESPECTING THE  
RECOGNITION OF PRIVATE  
EDUCATIONAL INSTITUTIONS AT  
THE ELEMENTARY AND  
SECONDARY LEVELS AS  
CATHOLIC AND THEIR  
CONFESSIONAL CHARACTER*

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This regulation of the Catholic committee of the Conseil supérieur de l'éducation was approved by the government on December 9, 1987 (Decree 1858-87).

This regulation applies to private elementary and secondary schools recognized as Catholic.

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The Catholic committee of the Conseil supérieur de l'éducation has enacted the present regulation to update and replace the previous regulation concerning the recognition of private educational institutions at the elementary and secondary levels as Catholic, and their confessional character. The new regulation was published in December of 1987, after being approved by the government.

The Catholic committee has judged it advisable to add to the text of the regulation a few explanatory notes which will assist those involved in setting up or operating a Catholic school.

Where context demands, the masculine gender is used to denote both sexes.



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WHEREAS all children are entitled to an education which allows the full development of their physical, intellectual, affective, social, moral and religious dimensions;

WHEREAS parents are entitled to choose the educational institution which, in accordance with their own convictions, best ensures that their children's rights are respected;

WHEREAS the religious dimension constitutes an important area of experience and meaning for the human person;

WHEREAS the Catholic school must be conceived of as an educational institution which openly accepts the religious dimension as an integral part of its educational project, and which considers the Christian concept of the human person and of life as proposed by the Catholic faith as the inspirational principle of its educative action;

WHEREAS the Catholic school must strive for educational excellence and must bring to the fore the truly Catholic character of its educational project while respecting the freedom of conscience and religion of all the persons it receives;

the Catholic committee of the Conseil supérieur de l'éducation, in accordance with paragraphs a, c and d of section 22 of the Act respecting the Conseil supérieur de l'éducation, has formulated as follows the Regulation respecting the recognition of private educational institutions at the elementary and secondary levels as Catholic and their confessional character:

## PREAMBLE





**REGULATION RESPECTING THE RECOGNITION OF  
PRIVATE EDUCATIONAL INSTITUTIONS AT THE ELEMENTARY  
AND SECONDARY LEVELS AS CATHOLIC AND THEIR CONFESSIONAL CHARACTER**

**An Act respecting the Conseil supérieur de l'éducation  
(R.S.Q., c. C-60, s. 22, subpars. a, c and d)**

**DIVISION I**

**Recognition of a private educational  
institution as Catholic**

1. A school authority wishing to apply for the recognition of a private educational institution at the elementary or secondary level as Catholic shall so apply to the Catholic committee and shall include with that application a resolution duly adopted by the board of directors, where applicable.

For the purposes of this Regulation, the school authority means the natural or artificial person in charge of the private educational institution.

2. A school authority applying for such recognition shall:

1° communicate the orientations of the educational project of the establishment to the holder of parental authority at the time the pupil registers;

2° forward to the Catholic committee the documentation which was communicated to the holder of parental authority.

3. Recognition of a private educational institution as Catholic shall be effected by a resolution duly adopted by the Catholic committee.

**COMMENTARY**

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*The status of "Catholic", conferred by the recognition of a school as Catholic, constitutes a framework which supports the development or realization of the educational project in accordance with the perspectives of the Catholic faith. The status of Catholic thus lends an element of soundness and continuity to the school project.*

*For private educational institutions, the request for such recognition must be made by the school authority. Application forms are available from the secretariate of the Catholic committee.*

*It should be noted that this section does not nullify the status of schools already recognized as Catholic.*

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*The Catholic committee requires that private educational institutions inform parents, at the time of pupil registration, of the confessional nature of the school's educational project, and that they forward to the Catholic committee the documentation which served to communicate such information to parents. In this way parents will be able to make informed choices as to the institution their children attend. This measure contributes to the institution's authenticity as a Catholic school.*

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*Such recognition is a legal act by which the Catholic committee recognizes, upon being asked to do so, that a given public or private school is Catholic. This recognition confers upon the school the status of "Catholic."*

## DIVISION II

### **Confessional character of a private educational institution recognized as Catholic**

#### **S 1. Educational project**

4. A private educational institution recognized as Catholic shall integrate the beliefs and values of the Catholic religion into its educational project, while maintaining respect for freedom of conscience and of religion.

5. A private educational institution recognized as Catholic shall follow the educational and motivational activities programs and the instructional programs approved by the Catholic committee. It shall use the text-books and teaching material also approved by the Catholic committee.

6. The principal of a private educational institution recognized as Catholic is responsible for the confessional character of the institution and shall ensure:

- 1° the carrying out of the educational project of the institution;
- 2° the orientation, animation, coordination and evaluation of activities of Catholic moral and religious instruction and pastoral animation.

## COMMENTARY

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*Such an educational project, drawing its inspiration from the Gospel, aims at the overall development of the person and promotes the values of autonomy, responsibility, respect for others, justice, love, solidarity, etc., as factors of growth for the educational community. Such an educational project must be carried out in a way which respects the freedom of conscience and religion of all those who frequent the school.*

*Such a project is dynamic: it is built up gradually in the course of the daily routine of the school, using the resources proper to each milieu. It allows for the development of individual initiatives on the part of each school.*

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*Section 22 of the Act respecting the Conseil supérieur de l'éducation charges the Catholic committee with the task of approving, from a religious and moral point of view, the programs, textbooks and teaching material to be used in Catholic schools.*

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*Certain regular functions with regard to confessionality have been specified here for principals of private educational institutions recognized as Catholic. The principal is the person primarily responsible for integrating the religious dimension into the school's educational project, and for ensuring high quality religious education in the school.*

## COMMENTARY

7. At least once every five years, the principal of a private educational institution recognized as Catholic shall forward to the Catholic committee a report on the evaluation of the school's functioning as a confessional institution. That evaluation shall be conducted with the participation of the parents, the staff and, to the extent possible, the pupils.

### S 2. Catholic moral and religious instruction and moral instruction

8. A private educational institution recognized as Catholic shall dispense Catholic moral and religious instruction. The institution may also offer the pupil a choice between such a course and a course of moral instruction without reference to a particular confession.

Where there are few pupils registered in a course of Catholic moral and religious instruction or in a course of moral instruction, the formation of groups of pupils must allow each pupil to achieve the objectives and master the contents defined in the programs of studies.

*Periodically, the school recognized as Catholic will wish to evaluate its actual functioning as a Catholic school. This type of regular evaluation will provide an opportunity to examine and discuss the various confessional aspects of the life of the institution. The partners in the school will thus be able to take stock of their situation, to correct or make certain improvements, or perhaps to ascertain that the school's confessional status no longer serves a useful purpose.*

*A report of this evaluation must be transmitted to the Catholic committee at least once every five years. This measure will enable the school to examine its situation and to determine whether its day-to-day functioning is consistent with its confessional status. The institution must not become Catholic in name only.*

*The ministère de l'Éducation provides private educational institutions with the guides and instruments needed to carry out such evaluations.*

*The school authority must send to the Catholic committee a copy of the school's report evaluating its functioning as a confessional institution.*

*Requests for revocation of Catholic status can be made at any time.*

*Private educational institutions may offer a choice between moral and religious instruction inspired by the Catholic faith, and moral instruction based on the fundamental aspirations of people as expressed in the various charters of rights. In such cases, the school must ensure that both types of instruction are of high quality. A number of elements must thus be taken into account. These are specified in sections 8 to 16 of the present regulation.*

*Constituting groups of pupils is an important factor in ensuring a high level of quality for both types of instruction, even when one option of instruction is chosen by only a few pupils.*

## COMMENTARY

**9.** Where an institution offers a choice between Catholic moral and religious instruction and moral instruction, in elementary school and in the first two years of secondary school, the holder of parental authority or, failing that, the tutor, shall exercise that choice for the child. In the other years of secondary school, the pupil himself shall exercise the choice; where he is a minor, he shall exercise the choice after obtaining the consent of the holder of parental authority or, failing that, the tutor. The choice shall be exercised at the time of registration.

**10.** Each year of elementary school, not less than 60 hours shall be devoted to Catholic moral and religious instruction or moral instruction.

**11.** Each year of secondary school, not less than 50 hours shall be devoted to Catholic moral and religious instruction or moral instruction.

**12.\*** Notwithstanding section 11, a pupil admitted to a program of studies leading to the secondary school vocational certificate, to the secondary school vocational diploma or to the attestation of vocational specialization, in accordance with the Regulation made under section 16 of the Education Act, is not required to take a course of Catholic moral and religious instruction or a course of moral instruction.

\* This section was approved by the government on 27 January 1988 — Decree 113-88.

*The choice between the two options of instruction is made annually at the time of registration.*

*The choice between the two options of instruction means that parents must exercise their responsibility every year in this respect. The decision is valid for one year only. It is nonetheless advisable to opt for the same type of instruction every year, since this fosters continuity in the progress of the child's learning.*

*The school authority must make sure that the information given to pupils, parents or tutors encourages a decision that is voluntary and informed. Respect for this choice must also be reflected throughout the organization of the school.*

*As stipulated in the Civil Code, the father and mother of the child are the holders of parental authority. As such, it is up to them to make the final decision concerning the type of instruction received by the pupil, in the case of minors and first-cycle pupils.*

*The elementary school program of study was developed with a required minimum number of hours in mind: 60 hours per year. Study programs in secondary school were developed in accordance with a 50-hour yearly minimum. These figures represent the minimum number of hours per year which must be devoted to either moral instruction or Catholic moral and religious instruction. This is an important factor in guaranteeing a high level of quality for both types of instruction.*

*As of September 1988, pupils enrolling in vocational education programs will only take courses which are related to vocational training. These pupils are therefore exempted from section 11, which provides for compulsory courses of moral instruction or Catholic moral and religious instruction in each year of secondary school.*

## COMMENTARY

**13.** The hours prescribed in sections 10 and 11 shall be apportioned in a manner and at a rate appropriate to pedagogy, the needs of the pupils and the educational project of the institution.

**14.** A private educational institution recognized as Catholic shall ensure that a pupil is evaluated each year of elementary and secondary school to ascertain whether he has achieved the objectives of the program of Catholic moral and religious instruction or of the program of moral instruction.

**15.** In order to be eligible to dispense Catholic moral and religious instruction in an elementary school, a teacher shall:

- 1° be of the Catholic faith;
- 2° have acquired, in a training program prescribed in the regulations made under section 30 of the Act, not less than 9 university credits pertaining to the moral and religious dimension of the person and the essential content of the Catholic faith as well as the programs of Catholic moral and religious instruction approved by the Catholic committee, or possess equivalent training;
- 3° not be opposed thereto for reasons of freedom of conscience.

**16.** In order to be eligible to dispense Catholic moral and religious instruction in a secondary school, a teacher shall:

- 1° be of the Catholic faith;
- 2° have acquired, in a training program prescribed in the regulations made under section 30 of the Act, 60 university credits pertaining to the moral and religious dimension of the person, the essential content of the Catholic faith and religious pluralism as well as the programs of Catholic moral and religious instruction approved by the Catholic committee, or possess equivalent training;
- 3° not be opposed thereto for reasons of freedom of conscience.

*This section is intended to facilitate the organization of both types of instruction without compromising on quality. The section refers to the scheduling of the two types of instruction. This is left to the school, which will decide each year how the minimum number of required hours (sections 10 and 11) will be incorporated into the timetable.*

*The programs of moral instruction and Catholic moral and religious instruction constitute educational disciplines. Regular evaluation is thus considered part of the pupil's learning process. Evaluation is essential in ensuring a high level of quality for both types of program.*

*Catholic moral and religious instruction can only be assigned to persons of the Catholic faith who satisfy the academic requirements which will enable them to offer high quality courses, and who agree to dispense such instruction with full freedom of conscience.*

*The words "be of the Catholic faith" mean that the person in question has been baptized in the Roman Catholic Church (or a baptism as recognized by the latter), and that the person declares himself or herself to be of the Catholic faith. This condition respects the right of the parents to ensure that their children receive religious instruction in accordance with their convictions.*

*Equivalent training will be assessed in accordance with the existing mechanisms used for this purpose.*

*In virtue of the Act respecting the Conseil supérieur de l'éducation, the Catholic committee is responsible for formulating regulations with regard to the qualification of teachers having charge of Catholic moral and religious instruction. It is hoped as well that the school authorities will ensure that personnel dispensing moral instruction are properly qualified.*



17. A private educational institution recognized as Catholic must ensure that a teacher who so requests for reasons of freedom of conscience may be exempted from dispensing Catholic moral and religious instruction.

### **S 3. Catholic pastoral animation**

18. A private educational institution recognized as Catholic shall ensure auxiliary services of pastoral animation within the time devoted to educational services.

### **COMMENTARY**

*The right to dissent from teaching religion is essential as a guarantee of the teaching staff's right to religious freedom.*

*The Catholic committee has outlined a number of models of pedagogical organization which accommodate elementary school teachers who might wish to be exempted from dispensing religious instruction. These models are already being used in a large number of schools. Such models cannot continue to exist and develop without the political and administrative will to respect the wishes of teachers who might wish to have recourse to such exemption. The models in question are enumerated in **Faith Education in the Schools**, published by the Catholic committee in 1984.*

*A guide on timetable organization for teachers exempted from Catholic moral and religious instruction has been made available to school administrations by the ministère de l'Éducation.*

*Apart from the obligatory course in moral instruction or Catholic moral and religious instruction, all students must have access to the school's pastoral animation services. Pastoral animation has its own set of specific objectives and is thus distinct from religious instruction.*

*As an auxiliary service, pastoral animation is dispensed during the pupils' regular school day. Some schools reserve a certain number of hours per month and per group for pastoral animation. Others add half-days or, for special events, a full day. As with all auxiliary services, it is up to the school to decide how pastoral animation services will be integrated into the school calendar. However, schools must respect the minimum number of hours prescribed in sections 10 and 11 for Catholic moral and religious instruction.*

## COMMENTARY

**19.** In an elementary school, any person placed in charge of pastoral animation by the principal of the institution shall:

1° have acquired 30 credits in theology, catechetics or Catholic pastoral animation, possess equivalent training or, after evaluation of his qualifications, have relevant experience;

2° have authorization in writing from the bishop of the diocese in which the school is located.

**20.** In a secondary school, any person appointed by the principal of the institution as a pastoral animator shall:

1° hold an undergraduate university degree comprising not less than 60 credits in theology, catechetics or Catholic pastoral animation or, in exceptional cases and after evaluation of his qualifications, have relevant experience;

2° have authorization in writing from the bishop of the diocese in which the school is located.

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*Persons carrying out pastoral animation must have a written mandate issued by the bishop of the diocese in which the school is located. A mandate is an act whereby a mandator authorizes a mandatee to act on his behalf and in his name. The pastoral mandate is thus the bishop's official authorization for an animator to conduct pastoral activity within the school in his name and in that of the Christian community (Comité catholique, Religion in Today's School 5, no. 469).*

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*Persons carrying out pastoral animation must have a written mandate issued by the bishop of the diocese in which the school is located. A mandate is an act whereby a mandator authorizes a mandatee to act on his behalf and in his name. The pastoral mandate is thus the bishop's official authorization for an animator to conduct pastoral activity within the school in his name and in that of the Christian community (Comité catholique, Religion in Today's School 5, no. 479).*

## COMMENTARY

**21.** The person in charge of pastoral animation in an elementary school and the pastoral animator in a secondary school shall conduct pastoral animation activities in accordance with the provisions of the pedagogical system to that effect.

**22.** A private educational institution recognized as Catholic shall allot funds and provide premises for conducting pastoral animation activities.

*The person in charge of pastoral animation in an elementary school and the pastoral animator in a secondary school plan and carry out activities according to a general plan of activities (also called the program) developed by the institution. The plan of activities takes into account the ministerial objectives as set forth in the section of the regime pédagogique dealing with auxiliary services. The plan is developed in keeping with pupil needs, and respects the guidelines defined in **Religion in Today's School, Pastoral Animation**, published by the Catholic committee in 1980. Planning guides and repertoires of objectives, published by the ministère de l'Éducation, have been made available to persons in charge of pastoral animation (elementary school) and to pastoral animators (secondary school) in order to assist them in carrying out their activities.*

*Pastoral animation activities differ in emphasis according to whether they are destined for pupils in elementary or secondary school. Nonetheless, all such activities are focused on living by the Gospel and as expressions of faith; these activities contribute to both the pupils' development and to the vitality of the school environment. In this sense, it is normal that annual planning and evaluation of pastoral animation activities be presented to the school administration for discussion. The person in charge of pastoral animation in elementary school often enlists volunteers to help carry out these activities. These volunteers (generally parents) participate in the activities at the school with the approval of the administration.*

*Pastoral animation activities are optional, thus respecting the freedoms of conscience and religion. The institution should plan other activities for pupils who do not participate in pastoral animation activities.*

*High quality pastoral animation requires certain essential resources: premises within which to carry out the activities, and an operating budget. Some smaller schools have trouble providing a room and an office exclusively for pastoral animation. These schools must nonetheless make sure that some area in the school is made available for pastoral animation activities. An office, even if shared with others occasionally, helps to integrate pastoral animators (secondary schools) and persons in charge of pastoral animation (elementary schools) into the life of the school as part of the school staff. Such an office might also be used for pastoral counselling of individuals.*

*An operating budget must be provided by the school when funds are assigned. This budget is used to pay for material, certain types of travel, training courses and other costs necessary in providing high quality pastoral animation.*



## COMMENTARY

### **S 4. Respect for the Catholic character of the institution**

**23.** The staff of a private educational institution recognized as Catholic, as well as any other person working there, the parents and the pupils shall be respectful of the Catholic character of the institution.

### **DIVISION III**

#### **Special provisions**

**24.** This Regulation replaces the Regulation of the Catholic committee of the Conseil supérieur de l'éducation respecting confessional educational institutions recognized as Catholic (R.R.Q., 1981, c. C-60, r. 2) in respect of private educational institutions of the elementary and secondary levels.

**25.** The first evaluation report prescribed in section 7 shall be forwarded not later than 1 July 1993.

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*All persons working in a private educational institution recognized as Catholic must accept, or at least respect, in the exercise of their responsibilities, the Catholic orientation as the point of reference and the inspiration for the school's educational project. This is necessary in order to ensure some measure of coherence in the integration of the confessional dimension.*

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*It is permissible to meet this obligation before the end of the five-year period.*

## COMMENTARY

**26.** Paragraph 2 of section 15 and paragraph 2 of section 16 apply from 1 July 1992.

However, they do not apply to persons who dispense Catholic moral and religious instruction during the 1991-1992 school year nor to persons who do not teach during that school year because of a leave prescribed in their conditions of employment, but who dispensed such instruction before the leave.

Subject to the second paragraph, any person hired or assigned from 1 July 1992 and who does not meet the requirements prescribed in paragraph 2 of section 15 or paragraph 2 of section 16 may dispense such instruction where he undertakes in writing to meet those requirements within two years following the year in which he gave such an undertaking, in the case of a teacher at the elementary level, and within five years following the year in which he gave such an undertaking, in the case of a teacher at the secondary level.

Where a person has not fulfilled his undertaking at the expiry of the period indicated in the third paragraph, he may no longer dispense such instruction.

**27.** Paragraph 1 of section 19 applies only to persons who, from 1 July 1992, are placed in charge of pastoral animation for the first time.

**28.** Paragraph 1 of section 20 does not apply to persons classified as pastoral animators on 30 June 1988.

**29.** This Regulation comes into force on 1 July 1988.

*The requirements related to teacher qualification will become mandatory on 1 July 1992. The objective is to ensure that teachers' acquired rights in this area be preserved, and to enable future teachers to acquire the training they need. As well, any person can be hired or assigned on the condition that he or she satisfies the requirements within the prescribed time.*

*Paragraph 1 of section 19 does not apply to persons in charge of pastoral animation in elementary schools before 1 July 1992.*



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