



COMMISSION SCOLAIRE CENTRAL QUÉBEC
CENTRAL QUÉBEC SCHOOL BOARD

DEROGATIONS

**Procedures concerning requests for
a derogation to the age of
admission to Preschool and
Primary Education**

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TABLE OF CONTENTS

	Page
1.0 INTRODUCTION	3
2.0 IDENTIFICATION OF THE ARTICLE OF THE EDUCATION ACT.....	4
3.0 EXPLANATORY NOTES FOR SCHOOL ADMINISTRATION	4
3.1 CHILD IDENTIFICATION	4
3.2 JUSTIFICATION OF THE REQUEST (Criteria).....	4
3.2.1 Child ready to start preschool or primary education	5
3.2.2 Admission to primary education of a 5-year old preschool student.....	5
3.2.3 Early admission due to projected low enrolment the following year	6
3.2.4 A student who is residing temporarily in Québec	6
3.2.5 A student who has already started school outside Québec	6
3.2.6 A student experiencing a particular family situation	6
3.2.7 A sibling born within a 12-month period	6
3.2.8 A child with a serious mental or physical handicap	7
Note: Preschool and elementary instruction	7
4.0 DEADLINES	7
5.0 INFORMATION DOCUMENT FOR PARENTS.....	8
6.0 INFORMATION DOCUMENT TO ACCOMPANY DEROGATION FORM	9
7.0 REQUEST FOR A DEROGATION FORM (PARENTS)	10
ADDITIONAL INFORMATION-DEVELOPMENT OF YOUR CHILD.....	12
REQUIRED INFORMATION CHECKLIST	13
RECOGNIZED SELECTION CRITERIA	14
INDIVIDUAL RECORD CHECK LIST	16
AUTHORIZATION/REFUSAL FORM.....	18

1.0 INTRODUCTION

Article 241.1 of the Education Act allows school boards to grant a derogation, to the age of admission to preschool and primary education," for humanitarian reasons or to avoid causing a serious prejudice to a child."

It is, therefore, on the basis of a convincing presentation of the existence of a **real and serious prejudice or for humanitarian reasons** that could affect a child, that requests for derogations, generally addressed to the school by the parents or guardians, are processed.

The school is the first level of treatment of derogation requests. It has the duty to inform applicants on how to prepare a file. It must ascertain that supporting documents are attached to the file according to the nature of the request; baptismal certificate or birth certificate, proof of out-of-Quebec schooling, proof of temporary stay, case study report or, if need be, a psychological evaluation. This should be drawn up by a competent professional who, preferably, is not in the employ of the Central Québec School Board. All costs are to be assumed by the parents.

Furthermore, the school must ensure that, for all requests other than those concerning a temporary stay (#3.2.4 p. 6), the continuation of schooling already begun (#3.2.5 p. 6), or a sibling born within the year (#3.2.7 p. 7), **the file shows real or anticipated prejudice.**

The psychological evaluation and the case study report must be sufficiently explicit to permit an enlightened decision. For requests of early entry into first grade, an evaluation of the child's acquired skills and a demonstration of the pertinence of the derogation are also necessary.

2.0 IDENTIFICATION OF THE ARTICLE OF THE EDUCATION ACT REFERRED TO IN THE REQUEST

Art. 241.1: For humanitarian reasons or to avoid causing a **serious prejudice** to a child who has not attained the age of admission, the school board may, following a request giving reasons therefore made by the parents, in cases determined by regulation 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.

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 subject to the conditions prescribed in the first paragraph.

3.0 EXPLANATORY NOTES FOR SCHOOL ADMINISTRATION

The following section is made up of information on each criterion to justify a derogation request. You are asked to look over these instructions and requirements carefully.

3.1 CHILD IDENTIFICATION

It is important to check surnames, names and birth dates as they appear on the birth certificate or baptismal certificate.

3.2 JUSTIFICATION OF THE REQUEST (Criteria)

A school board may, in accordance with paragraph 1 of section 241.1 of the Education Act (R.S.Q., c. I-13.3), admit a child to school who has not attained the age of admission in the case of:

3.2.1 A precocious child ready to start preschool or primary education

A child who is ready to begin preschool or elementary school owing to his advanced intellectual, social, emotional and psychomotor skills. **The assessment must indicate clearly the nature of the foreseen prejudice.**

- Required Documentation - a), b), d), k) and, as required, j) [see p. 13]

The following steps must be followed:

Step 1: Give the parent a copy of the Request for Derogation Form;

Step 2: Interview with the parents and child for a 1st evaluation by the Principal;

Step 3: If possible, the School Derogation Committee should place the child in a classroom setting for observation; (this committee could be composed of: e.g. K or primary teacher, a professional if available and the school principal)

Step 4: Psychological evaluation by a psychologist or psycho-educator (not in the employ of the school board). The parents will assume the cost for this evaluation.

This assessment may be done in the child's mother tongue and must include pertinent data and observations, particularly with respect to the child's intellectual capacity, social and emotional maturity and psychomotor development.

3.2.2 Admission to primary education of a 5-year old preschool student

This promotion from preschool to first grade, in the beginning of the school year, is reserved to children for whom there has been no other derogation granted (criteria #1).

The parties concerned (parents, principal, preschool & primary school teachers and competent professional from the school) must show that it would be detrimental for the child to remain in preschool because of his acquired skills and exceptional development.

- Required Documentation – a), b), d), k) [see p. 13]

The following steps must be followed:

Step 1: Give the parent a copy of the Request for Derogation Form;

Step 2: Interview with the parents and child for a 1st evaluation by the Principal;

Step 3: The preschool teacher must show that the child has already attained the level of development generally reached at the end of the school year. The first grade teacher must evaluate this development as well as the child's social ability to integrate into the first grade as well as the child's social ability to integrate into the first grade as well as expectations of his/her success. The principal should collaborate in this process. Finally, the file should be completed with an opinion from the school professional.

3.2.3 Early admission due to projected low enrolment the following year

A child whose early admission is required to ensure that he will be with a group of students in the school in which he is to be enrolled for elementary school education. This is only in cases where the school board does not expect to be able to form a preschool class the following year.

It must be very clear that, the following year, there will not be a sufficient number of students to have a preschool in this elementary school. Distance nor the absence of other children in the immediate neighbourhood are not reasons to be used.

The file must clearly show this situation.

- Required Documentation - a), b) g) & k) [see p. 13]

3.2.4 A student who is residing temporarily in Québec

A child whose domicile is outside Quebec but temporarily resides in Quebec because his parents have been assigned thereto for a maximum period of 3 years and whose early admission would enable him to attain an equivalent level in the official education system outside Quebec.

- Required Documentation - a), b) f) & k) [see p. 13]

3.2.5 A student who has already started school outside Québec

A child who, while domiciled outside Quebec, began or completed his preschool or elementary school education in an official education system outside Québec.

- Required Documentation - a), b), c) &/or d) & k) [see p. 13]

3.2.6 A student experiencing a particular family situation

A child who is experiencing a family or social situation which, owing to special circumstance or events, justifies his early admission to school.

These applications must be supported by the opinions of specialists in the field of Health and Social Services or Youth Protection Services.

- Required Documentation - a), b), h) & i) & k) [see p. 13]

3.2.7 A sibling born within a 12-month period

A child who has a brother or a sister born within 12 months following his birth and is eligible to begin school the same year.

- Required Documentation - a), b) &k) [see p. 13]

3.2.8 A child with serious mental or physical handicaps

A 4-year-old child with a serious mental or physical handicap or with marked social or emotional disturbances whose school board is not included on the list of school boards established under section 33 of the Basic School Regulations for Preschool and Elementary School Education.

- Required Documentation - a), b), e) j) & k) [see p. 13]

Note: Preschool and elementary instruction

In accordance with Article 96.17 and 96.18 of the Education Act, the following is the **responsibility of the School Principal:**

Following a request, with reasons, from the parents of a child who has not achieved the objectives of preschool education, the principal may admit the child, as prescribed by regulation of the Minister, to preschool education for the school year in which he would be eligible for admission to elementary school education if there are reasonable grounds to believe that such measure will enable the child to achieve those objectives.

Following a request, with reasons, from the parents of a student who has not achieved the objectives or mastered the compulsory notional contents of elementary school education at the end of the period fixed by the basic school regulation for mandatory promotion to secondary school, the principal may admit the student, as prescribed by regulation of the Minister, to elementary school education for an additional school year, if there are reasonable grounds to believe that such measure will enable the student to achieve those objectives or master those notional contents.

Each year, the principal shall submit a report to the school board on the number of students admitted in these categories.

4.0 DEADLINES

For criteria 1 - 3 - 6 - 7 - 8

Files are received by the School Board **May 15 ***

Expedition of letters of acceptance or refusal to the school concerned **June 30**

*** No other requests that are part of the above criteria will be considered after this date**

These deadlines may change as in the following cases:

For criteria 2 - 4 - 5

Late registration resulting from the arrival during the school year of the child in Québec **Continuous processing**

Early entry from preschool to first grade November 15

5.0 INFORMATION DOCUMENT FOR PARENTS

REQUESTS FOR A DEROGATION TO THE AGE OF ADMISSION TO PRESCHOOL AND PRIMARY EDUCATION

This note is addressed to parents (or guardian) whose children are born a few days or months after the deadline date, that is September 30th. This is to help you decide whether your child would benefit from a derogation and the procedure to follow in making such a request if your child falls into the following criteria:

..a child who is particularly capable to begin preschool or the first grade and, therefore, his/her development is such that it would be a grave prejudice if he/she were not allowed to be enrolled.

It must be clear that, in order to be eligible for a derogation, it must be shown that the child's development level is superior to the average for children of the same age (the intellectual level, maturity, autonomy, etc.). More than that, the development of the child must be such that, if admission was refused, it would be detrimental to his/her development. It is important to underline that a derogation to the age of admission is an exceptional measure.

The conditions may seem excessive, but they are necessary for the educational success of the child. It should be noted that children admitted by derogation are not just born 10 or 20 days after the deadline (30 September), but have a difference in age of around 7 months with their peers. There is a significant difference at this age with regard to the psychological and physical maturity of the child.

As a result of surveys done by different school boards, the biggest difference between derogated students and their peers is in regard to behaviour in the classroom (e.g. less interest, not as independent, an inferior ability to concentrate as well as a shorter attention span). The results of this survey confirmed the impact of a difference in age on the behaviour of a class and the importance of a strict process in the admission to children before they attain the required age.

Before you decide to request a derogation, we would ask you to think about and ask yourself certain questions: "Does your child show a strong desire to attend school or is this your wish? Does your child possess the required aptitudes necessary to receive a derogation?"

Your child should have the ability to succeed and should not be placed in a situation where he/she could fail or always fall only in the average of their group throughout their primary education because of the fact that all the other children have the advantage of age

If, after consideration, you judge that your child's development is such that he/she should have a derogation to the age of admission, we invite you to fill out the required forms and supply the school with an evaluation by a psychologist, who is a member of the "Ordre des psychologues de Québec".

We hope that this helps to clarify the derogation procedures and thank you for your cooperation.

School Principal

Members of the Derogation Committee have prepared this text.

6.0 INFORMATION DOCUMENT TO ACCOMPANY APPLICATION FORM

REQUESTS FOR A DEROGATION TO THE AGE OF ADMISSION TO PRESCHOOL AND PRIMARY EDUCATION

- 6.1 Parents of children who have not attained the age of five (5) before October 1 may apply for a derogation, which permits early access to kindergarten.
- 6.2 Parents of children who have not attained the age of six (6) before October 1 may apply for a derogation, which permits early access to elementary school (grade 1).
- 6.3 Requests should be made directly to the school. School authorities will offer assistance in completing the necessary forms.
- 6.4 Applicants will be required to submit:
 - 6.4.1 A written request for a derogation outlining the reasons deemed important for the child to receive early admission;
 - 6.4.2 The child's birth certificate.
- 6.5 For purposes of assessment, all children, who have had a request submitted in their name, will meet with a committee composed of the school authority, the teacher concerned and, in some cases, a psychologist and/or guidance counsellor.
- 6.6 Following this, the parent may be required to supply a psychological assessment, obtained from a practising member of a recognised Corporation of Psychologists or Guidance Counsellors.
- 6.7 If the child is under the protection of a social agency, a recommendation from the respective competent authorities might also be requested.
- 6.8 The dossier must be completed and returned to the school before March 25 to be given consideration for the following school year. The school will then forward the dossier to the School Board.
- 6.9 The Director of Educational Services will study the dossier and make a decision.
- 6.10 The school authority will contact the parent immediately after receiving the Director's decision.

7.0 REQUEST FOR A DEROGATION FROM THE AGE OF ADMISSION

IMPORTANT: In order to fill out this form correctly, you should refer to the attached instructions and explanations. Upon completion, pages 1 and 2 should be forwarded to the Board Office accompanied by the required documentation. Please fill out the following (5) sections.

A. **IDENTIFICATION OF THE CHILD FOR WHOM A DEROGATION IS REQUESTED**

(Surname & First Name of Child)

(School)

(Date of Birth)

(Surname & First Name of Parent or Guardian)

B. **GRADE LEVEL CONCERNED BY DEROGATION (check the appropriate box)**

Kindergarten

Grade 1

C. **JUSTIFICATION OF THE REQUEST (check the appropriate box)**

Refer to pages 5 to 8 “Explanatory Notes” for Sections C & D

1.

2.

3.

4.

5.

6.

7.

8.

REQUEST FROM THE PARENT

DEROGATION TO THE AGE OF ADMISSION TO PRESCHOOL AND PRIMARY SCHOOL

Please answer all these questions, sign and return the form to the school with all the necessary documentation.

1. Why are you requesting this derogation for your child?

2. What particular abilities does your child possess to qualify him/her to obtain a derogation?

3. In what way would your child suffer a prejudice (be penalized) if he/she were not admitted to school for the next school year?

Signature of Parent or Guardian

Date

ADDITIONAL INFORMATION

DEVELOPMENT OF YOUR CHILD:

1. **Describe the capabilities of your child to communicate** (language quality, ability to express him/herself in different circumstances; ability to talk to people).

2. **Describe the non-verbal or physical abilities of your child** (his/her control of a pencil or scissors; ability to draw or do cut outs; knowledge of letter and figures; ability to calculate or write, if any).

3. **Describe the behaviour of your child during activities or before a project.**

4. **Describe the family** (number of brothers and sisters as well as their age and relationship with this child).

5. **Describe the social experiences of the child** (day-care, preschool, other social experiences, etc.)

D. **REQUIRED DOCUMENTATION (Please refer to Explanatory Notes)**

- a) Written request the parents
- b) Certificate of birth or baptism: certified true copy
- c) Proof of school attendance: true copy
- d) Report from the School Derogation Committee
- e) Medical report
- f) Proof of temporary residence
- g) Proof of sparsely populated area
- h) Proof of particular family or social situation
- i) Recommendation of the Youth Protection Services (DPJ)
- j) Psychological evaluation
- k) Recommendation of the school principal

NOTE: - If items b) and c) are written in a language other than French or English, they must be accompanied with a translation into French or English.
- Parents must supply all information necessary to process the request

RECOMMENDATION OF THE SCHOOL PRINCIPAL: YES NO

Signature

Date

RECOGNIZED SELECTION CRITERIA FOR A DEROGATION TO THE
KINDERGARTEN OR FIRST YEAR PRIMARY (EARLY ADMISSION)

INTELLECTUAL CAPACITY:

Significantly above average
Consistent with the level or tests
Good verbal skills
Ability to pay attention and concentrate
Perseverance at a task
Interest Shown

EMOTIONAL DEVELOPMENT:

Maturity
Reaction to a failure
Capacity to pay attention
Reaction to leaving his/her parents
Self-confidence
Ability to take care of him/herself

SOCIAL DEVELOPMENT:

Social experiences
Relationships with other children
Behaviour in a group
Place in the family (oldest child, etc.)

PHYSICAL DEVELOPMENT:

Physically developed at least 6 months more than his/her age (gross and fine motor skills)

OTHER CRITERIA:

Parents' reasons

Prejudice perceived by the parents

Prejudice perceived by the professionals

Exceptional development for kindergarten on 1st year

Developed sufficiently for 1st year

In what respect will a refusal for this child to attend kindergarten or the 1st year primary cause a real and serious prejudice?

INDIVIDUAL RECORD CHECK LIST

Maturity Level for School Entrance and Reading Readiness

FOR KINDERGARTEN AND FIRST GRADE

By Katharine M. Banham, Ph.D.

Name _____ Boy _____ Girl _____ Date _____
Year Month Day

School _____ Born _____
Year Month Day

Teacher _____ Age _____
Year Month Day

JAN. 1 FEB. 2 MARCH 3 APRIL 4 MAY 5 JUNE 6 JULY 7 AUG. 8 SEPT. 9 OCT. 10 NOV. 11 DEC. 12

BODILY COORDINATION

The child can...

1.	Hop on one foot.	
2.	Skip, using feet alternately.	
3.	Stand on one foot for ten seconds.	
4.	Stand on each foot alternately, eyes closed.	
5.	Walk three yards on toes without touching heels on the floor.	

EYE-HAND COORDINATION

The child can...

6.	Cut out pictures neatly, following straight lines, angles and curves.	
7.	Tie a shoelace in a loop bow.	
8.	Recognize and name five or more letters in a printed page of large type or Newspaper headlines.	
9.	Print own name or other short word.	
10.	Draw a recognizable man of head, body, arms, and legs without copy.	

SPEECH AND LANGUAGE COMPREHENSION

The child can...

11.	Pronounce compound consonants correctly in words as basket, bottle, tree, Green, please, thank, sister, brother. Baby talk is outgrown.	
12.	Count thirteen pennies, buttons, or other small objects without error.	
13.	Distinguish right from left hand or foot and point to them correctly on request.	
14.	Count the five fingers on each hand and add both together to make the correct total of ten.	
15.	Tell the meaning of familiar words in terms of use: for example, when asked "What is a chair (or car, or cookie, or book)? He answers "To sit on (or to ride in, or to eat, or to read)."	

PERSONAL INDEPENDENCE

The child can...

16.	Wash hands and face efficiently without help.	
17.	Care of self at the toilet, requiring no assistance with paper or clothing.	
18.	Tell own full name and address on request.	
19.	Carry on a project to completion over a period of several days; for example, make a scrap-book.	
20.	Dress self unaided, fastening accessible buttons, though perhaps not tying ribbons or ties.	

SOCIAL COOPERATION

The child can...

21.	Recite verses or sing a complete song, and will do so for the entertainment of others.	
22.	Take a lead in a play with younger children and does so, without undue bossing, instructing them in games and other activities.	
23.	Join cooperatively in imaginative play with other children; for example, play tea parties, keeping score, hospital visits, school, building garages or fire-engines.	
24.	Play competitive table games requiring taking turns and keeping rules, such as: hide and seek, hop-scotch, or cowboys and Indians.	
25.	Play simple table games requiring taking turns and keeping rules, such as: Tiddly-winks, Old Maid with cards, Parchesi, Checkers, Dominoes or Tic-tac-toe.	

Maturity Level for School Entrance, Total Score _____

Reading, Readiness Score, Item 6-15 _____

**AUTHORIZATION OR REFUSAL
OF A DEROGATION REQUEST
FROM THE AGE OF ADMISSION**

Name of School	Surname & First Name of Child
APPROVED <input type="checkbox"/>	REFUSED <input type="checkbox"/>
Director of Educational Services	Date
Director General	Date

N.B. Copy of this derogation is to be placed in the student's file.

Reason for Committee's decision.