

Bill No. 80 of 1948.

A BILL TO AMEND THE SCHOOL ACT

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NOTE.

This Bill amends *The School Act*.

Section 2 is amended by adding a new paragraph (oo) defining "school building". The definition includes a dormitory, teacherage, divisional or other office, etc., or other building used or occupied by a school district or school division.

Section 64 is amended as a result of an amendment passed last year whereby the Minister by order may direct that the board of trustees of the district shall consist of five trustees. This was formerly done by resolution of the electors at the annual meeting and later on in the section a reference to such resolution is altered by this amendment to a reference to the Minister's order.

Section 102 is amended by the addition of two new subsections. The first enables the board of a town or village district included in a division to keep its polling booth open for any period not less than two hours between twelve o'clock noon and seven o'clock in the evening. The second enables electors who are in the polling place when the poll is declared closed to cast their ballots.

A new section 124a and a new subsection (9) to section 269 are added enabling the boards of school districts and school divisions to adopt rules of procedure for the conduct of their meetings.

Sections 127 and 275 dealing with discretionary powers of boards or school districts and divisions have each had three new paragraphs added. The first enables a board to acquire a site for a sewage disposal plant and lands or easements for other utilities extending beyond the boundaries of school sites. The second enables boards to enter into agreements with municipalities or other parties whereby sewage facilities may be provided to schools and the board may pay such sums for the facilities provided as may be agreed upon. The third enables boards to invest surplus funds and reserves in approved securities.

Section 136 is amended. Prior to the 1947 amendments the year end for divisions was the thirty-first day of October, but this was changed to the thirty-first day of December. Paragraph (b) of subsection (4) of section 136 is amended to conform by requiring the audit before the thirty-first day

of January instead of before the thirtieth day of November. The proviso to paragraph (c) is struck out as it has expired.

Subsection (1) of section 137 is amended by striking out the reference to "in a direct line" as this is in conflict with section 140a which defines the distance from school as the shortest distance along a road allowance.

Section 138 is amended to refer to requisitions under *The School Act* as well as levies under *The School Taxation Act*. It is also amended so that agreements relating to conveyance terminate at the end of the school year rather than the end of a calendar year. Subsection (3) is amended to refer to Grades I to IX to correspond with section 137a.

Section 138a is amended to enable a board to contribute towards the cost of the conveyance of high school students who are unable to receive instruction within their own districts.

Section 139a is amended to extend the exemption of a board from liability for negligence to cases covered by the second proviso to section 137a which was added to *The School Act* last year. The effect of the amendment is that when children are conveyed by the parents or guardians under a schedule of fees approved by the Minister and payable to the parents or guardians for the provision of conveyance, the board is not liable for injury to the child while travelling in the conveyance so provided.

The amendment to section 143 (1) gives a board the same powers of compulsory acquisition in respect of land for a sewage disposal plant or for easements for other utilities as the board has in respect of a school site.

Section 147 is struck out and four new sections substituted instead. The new section 147 requires plans and specifications for new school buildings and for additions and alterations to be approved by the Department. Provision is also made in the other sections for the erection of schools by day labour upon the approval of any scheme for construction by day labour by the Minister.

Section 164 is amended to enable the Minister to grant temporary teaching privileges to persons other than British subjects if satisfied that such persons intend to become Canadian citizens.

The amendment to section 173 corrects an error.

The amendment to section 174 enables a board to pay sick leave to teachers from month to month as sickness occurs rather than waiting until the termination of the school year or the teacher's engagement as is now required.

The new section 174a enables a board to grant a teacher leave of absence with salary or a portion of salary for the purpose of improving his professional qualifications.

Section 177 is amended to make it clear that a teacher can suspend a child from any class as well as from any school. It also provides that notice of any suspension must be given to the principal, the board and the superintendent.

The amendment to section 182 enables school divisions and town districts to borrow without the Minister's consent, sums up to twenty-five per cent of the requisition for the preceding year.

The amendment to section 184 enables debenture borrowing for the construction of dormitories and sewer facilities. A new subsection (5) is also added which provides that any surplus remaining from the proceeds of the sale of a debenture shall be applied to redeem the debenture.

Section 186 is amended. This section presently provides that a poll may be demanded within fifteen days of the date of posting of certain notices. The effect of the amendment is that the poll may be demanded within fifteen days after the posting or last publication of the notices. The demand must be signed by five per cent of the proprietary electors of the school district, or by one hundred such electors in a district in a city.

Section 194 is amended to correspond to section 191 which now requires secret ballots on a by-law for borrowing by debenture. Under section 194 two scrutineers were required, one of whom had voted for and one against the by-law. The amendment now provides that the scrutineers may be any two proprietary electors.

Subsection (4) of section 205 relating to the lithographing of signatures on debenture issues is amended to correspond to section 208a (8) as there is no reason for any distinction between the signatures on the issues of general debentures and the signatures on issues of debentures for redeeming general debentures. The terms for which debentures may run have been extended.

New subsections (5), (6) and (7) are added to section 205 which prescribe the periods for which debentures may run, depending upon the type of construction, and whether the school is in a city or elsewhere. The periods vary from fifty to ten years. This amendment is made retroactive to the first day of September, 1947.

Section 207 is amended to provide that debentures may be dated within twenty-four months of the date of authorization with the approval of the Board of Public Utility Commissioners and the Minister. Previously they had to be dated within twelve months of the date of authorization which in some cases has imposed a hardship when it was impossible to go ahead due to shortages of labour and materials.

Section 208a (8) is amended to provide that signatures on debentures, in addition to being engraved or lithographed may be otherwise "mechanically reproduced".

Section 218 is amended by striking out the words "under this section". This corrects an error as section 218 was not limited in its application to disputes "under this section".

Section 251 is amended by striking out certain words included in subsection (5*a*) and putting the same words in paragraph (b) of subsection (5). The words had previously been included in the wrong subsection.

Subsections (1), (2) and (3) of section 253 are struck out and four new subsections are substituted. The changes provide for some flexibility in the manner of giving notices of annual meetings, and provide for the use of new media for dissemination of information including newspapers and radio. It is also provided that the annual meetings of two or more subdivisions may be held jointly at the same place and time.

Section 257 is amended to provide that a board may direct the electors of a district in which no school is in operation to cast their ballots at a poll conducted in some other district of the same subdivision.

Section 270*a* is amended by striking out the reference in paragraph (b) to the first day of October and substituting the first day of September to correspond with section 270. Paragraphs (d) and (e) are struck out as they are now inapplicable as a new paragraph (d) is substituted enabling the Minister to fix the term of the newly elected trustees.

Section 271 is amended by striking out certain words which are now unnecessary as most divisions have been constituted more than three years. In the cases of divisions constituted less than three years or new divisions which may be constituted, there appears to be no reason why trust funds of a district coming into the division should not be spent immediately for the benefit of that district if the expenditures are necessary.

The amendment to section 272 corrects an error.

Subsection (2) of section 273*a* is amended. When a school in any one district is closed and its pupils are attending the school of another district, the Minister may by order give the electors of the district in which the school is closed representation on the board of the other district. The effect of the amendment is that in order to give them such representation the Minister in his order may designate that certain trustees of the district shall cease to hold office on a date fixed in the order.

Section 274 is amended to effect a minor clarification.

Section 275 is amended by changing the words "chief inspector" in paragraph (c) to "chief superintendent" as this official's title has been changed. The same discretionary powers are added to a divisional board as were added to the board of a district under section 127 (1).

Section 280 deals with agreements for inclusion of a school district in a division and enables provisions fixing the amount of the requisition at a level either equal to or in excess of the general divisional requisition. No provision was made for an agreement fixing a lesser requisition. Cases have arisen where a lesser requisition was deemed advisable and the amendment provides for this.

Section 302 is amended by adding the word "proprietary" before the word "electors" where the same occurs in paragraph (a). This is necessary as only proprietary electors are concerned with debenture by-laws. A debenture by-law does not have to be submitted to the electors if the amount of borrowing does not exceed forty thousand dollars. The amendment also increases this figure to sixty thousand dollars. A new paragraph (b) is substituted by which the demand for a poll must be signed by five electors from each of twenty per cent of the districts in the division, rather than twenty electors of the division. Paragraph (e) is also amended to impose the duty on the deputy returning officer of appointing a poll clerk.

Subsection (2) of section 304 is amended to enable the superintendent to supervise "property and services" which would include dormitories.

Paragraph (e) of section 305 is amended by changing the financial year end from the thirty-first day of October to the thirty-first day of December.

A new Form I is substituted in Part I of the Schedule enabling advertising of several annual meetings in different subdivisions of a division by one notice.

Section 3 of Part II of the Schedule is amended slightly to clarify its meaning.

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*(This note does not form any part of the Bill but is offered in explanation of its provisions.)*

# BILL

No. 80 of 1948.

An Act to amend The School Act.

(Assented to \_\_\_\_\_, 1948.)

**HIS MAJESTY**, by and with the advice and consent of the Legislative Assembly of the Province of Alberta, enacts as follows:

**1.** *The School Act*, being chapter 175 of the Revised Statutes of Alberta, 1942, is hereby amended as to section 2 by adding immediately after paragraph (o) thereof the following new paragraph:

“(oo) ‘School building’ means any building owned or occupied by a school district or school division and includes any school, dormitory, teacherage, divisional or other office, barn, sewage disposal plant, or other building owned or occupied or proposed to be owned or occupied by a school district or school division;”.

**2.** The said Act is further amended as to section 64 by striking out the words “the passing of any such resolution as aforesaid”, where the same occur in subsection (1) thereof, and by substituting therefor the words “the making or any such order”.

**3.** The said Act is further amended as to section 102,—

- (a) by renumbering the same as subsection (1) thereof;
- (b) by striking out the words “The poll shall”, where the same occur in subsection (1) thereof, and by substituting therefor the words “Except as otherwise provided the poll shall”;
- (c) by adding immediately at the end thereof the following new subsections:

“(2) In the case of a town or village district included in a division the poll may, by resolution of the board of the division, be kept open for any period of not less than two hours’ duration between the hours of twelve o’clock noon and seven o’clock in the evening.

“(3) When the poll is declared closed, if there are electors in the polling place who have not yet voted, they shall be permitted to do so, but no other electors shall be allowed to enter the polling place for this purpose.”.

4. The said Act is further amended by adding immediately after section 124 thereof the following new section:

"**124a.** The board may adopt rules of procedure not inconsistent with this Act, governing the conduct of its meetings and may, by resolution, exclude any member of the board from any meeting if such member violates or refuses to comply with any such rule."

5. The said Act is further amended as to section 127 by adding immediately after paragraph (v) of subsection (1) thereof the following new paragraphs:

"(w) to purchase or otherwise acquire a site for a sewage disposal plant and to purchase or otherwise acquire lands or easements extending beyond the boundaries of the site of any school building for any sewage, water, gas or electric power lines to or from any such building;

"(x) to enter into an agreement with any municipality or with any person, firm, or corporation whereby sewage facilities may be provided for any school building, and the board may pay such sum or sums for the facilities provided as may be agreed upon;

"(y) to invest any surplus funds and reserves in any security in which trust funds may be invested under the provisions of *The Trustee Act*."

6. The said Act is further amended as to section 136,—

(a) by striking out paragraph (b) of subsection (4) thereof and by substituting therefor the following:

"(b) The books and accounts of every school division shall be audited in the manner prescribed by the Minister on or before the thirty-first day of January in each year by an experienced auditor approved by the Minister or by a chartered accountant;"

(b) by striking out the proviso immediately at the end of paragraph (c) of subsection (4) thereof.

7. The said Act is further amended as to section 137 by striking out the words "in a direct line" where the same occur in subsection (1) thereof.

8. The said Act is further amended as to section 138,—

(a) by striking out the words "to make the necessary levy under the provisions of *The School Taxation Act*", where the same occur in subsection (1) thereof, and by substituting therefor the words "to make the necessary requisition or levy under the provisions of *The School Act* or of *The School Taxation Act*";

(b) by striking out subsections (2) and (3) thereof and by substituting therefor the following:

“(2) Any such agreement may be terminated by either party thereto giving notice to the other on or before the fifteenth day of May in any year, and, upon notice being given, the agreement shall cease and determine on the last day of the month of June following, unless the Minister otherwise orders.

“(3) The Board of any district or division entering into such an agreement shall, unless the Minister otherwise directs, provide conveyance to and from school for those pupils enrolled in Grades I to IX inclusive whose education is provided for in the agreement and who reside on any quarter-section the nearest boundary of which is more than three miles from the school which, under the terms of the agreement, the children have the right to attend :

“Provided however that the Board of the district or division shall not be required to provide conveyance for the children of isolated families but shall, subject to the approval of the Minister, make arrangements with the parents or guardians for the conveyance of such children in the same manner and upon the same terms as are provided in section 137a.”.

**9.** The said Act is further amended as to section 138a by adding immediately after the word “home”, where the same occurs in subsection (2) thereof, the words “or towards their conveyance between home and school”.

**10.** The said Act is further amended as to section 139a by striking out the same and by substituting therefor the following:

“**139a.** No board shall be under any liability for negligence to the parents or guardians of any child or to any child who is being conveyed to or from school,—

- “(a) pursuant to any arrangement or agreement made with the parents or guardians of any such child under subsection (3) of section 137 or section 137a or the proviso to subsection (3) of section 138;
- “(b) pursuant to an arrangement made by the parent or guardian entitled to receive payments under a schedule authorized by the Minister under the second proviso to section 137a.
- “(c) pursuant to provision made for the attendance of any such child at school in a suitable manner satisfactory to the parents or guardians of the child under section 138a.”.

**11.** The said Act is further amended as to section 143 by adding immediately after the words “and approved pursuant to section 142”, where the same occur in subsection (1) thereof, the words “or which is required for a sewage dis-



posal plant or for any sewage, water, gas, or electric power line pursuant to paragraph (*w*) of subsection (1) of section 127 or paragraph (*t*) of section 275.”.

**12.** The said Act is further amended as to section 147 by striking out the same and by substituting therefor the following:

“**147.** No school building shall be erected and no addition to or structural alteration of any school building shall be made except in accordance with plans and specifications approved by the Department.

“**147a.**—(1) In all school districts and school divisions, except as hereinafter otherwise provided, the trustees shall obtain tenders for the erection of any school building and it shall be built under contract and not by day labour.

“(2) No contract for the construction of a school building and no contract for the purchase of any building to be used for school purposes shall be entered into or signed by the trustees or any other person until submitted to and approved by the Minister.

“(3) No action against the trustees under any such contract shall be maintained or enforced for the price of any school building or materials supplied to construct the same unless the contract has been approved, and no claim in respect thereof shall be allowed by way of set-off or counterclaim, nor shall the contract have any legal validity whatever unless so approved as aforesaid.

“**147b.**—(1) In town districts and in school divisions the trustees may submit to the Minister a scheme for the erection of any school building by day labour.

“(2) In rural, village or consolidated school districts the trustees may submit to the Minister a scheme for the erection of any school building by day labour if the district proposes to defray the entire cost thereof out of the current revenues of the district.

“(3) Any scheme for construction by day labour submitted by any school district or division shall set out in detail the manner in which it is proposed to provide the materials, supplies and labour requisite for the erection of the school buildings.

“(4) Upon the scheme being approved by the Minister and adopted by a resolution of the Board, the Board may proceed to build the school building in accordance with the scheme so approved and any contracts or engagements made pursuant to and in conformity with such scheme shall be valid and binding upon all parties thereto and shall be good and effectual for all purposes, notwithstanding anything in this Act to the contrary.

“**147c.** All specialties, bills, notes or accounts stated, given, or made, in whole or in part, for or to secure any such price or materials shall be void, unless the contract under which the same are given or made is approved as aforesaid.”.

**13.** The said Act is further amended as to section 164 by striking out subsection (1) thereof and by substituting therefor the following:

**"164.—(1)** Except as hereinafter provided no person shall be engaged, appointed, employed or retained as a teacher in any school unless he holds a valid certificate of qualification issued under the regulations of the Minister.

**"(1a)** No certificate shall be issued to any person who is not a British subject:

**"Provided that the Minister may grant temporary teaching privileges to any person who is not a British subject if satisfied that such person intends to become a Canadian citizen and has taken such steps as are possible under the laws of Canada towards the attaining of Canadian citizenship."**

**14.** The said Act is further amended as to section 173 by striking out the words "each year", where the same occur in subsection (3) thereof, and by substituting therefor the words "such year".

**15.** The said Act is further amended as to section 174 by striking out the same and by substituting therefor the following:

**"174.** Every teacher in case of absence from school to obtain necessary medical or dental treatment or because of disability, sickness (not including confinement), or accident which the Board may require to be certified to by a qualified medical or dental practitioner, shall be entitled to his salary during such absence for a number of days not exceeding twenty days for the entire school year, and in the event that the teacher has rendered service for less than two hundred days in any school year, for a number of days bearing the same relation to twenty as the number of days of service bears to two hundred, and such days shall be deemed to be days taught for the purposes of subsection (3) of section 172 hereof; but any Board may allow salary for a greater number of days' absence than is provided herein.

**"174a.** The Board of a school district or school division at its discretion may grant a teacher leave of absence for a period not exceeding one year for the purpose of improving his professional qualifications and during such leave the board may pay the teacher all or any part of his salary."

**16.** The said Act is further amended as to section 177 by striking out the same and by substituting therefor the following:

**"177.** Every teacher shall have power to suspend from any class or from school any pupil who is guilty of open opposition to authority, wilful disobedience, habitual neglect of duty, the use of profane or improper language, or other conduct injurious to the moral tone or well-being of the school, and shall immediately report any suspension to the

principal if in a graded school, and the principal of the school, or the teacher in the event of there being no principal, shall forthwith prepare a written report of the suspension setting out all the circumstances, and send the report to the board by which the teacher is engaged, and to the superintendent, if any; and thereupon the board shall take such action as it may deem necessary with regard thereto."

**17.** The said Act is further amended as to section 182 by adding immediately after subsection (1) thereof the following proviso:

"Provided that the board of a school division or of a town district, without receiving the consent of the Minister, may make such borrowings in order to meet current expenditures as do not result in the total amount outstanding at any one time exceeding twenty-five per cent of the total requisition of the division or district for the preceding year."

**18.** The said Act is further amended as to section 184,—

(a) by striking out subsection (1) thereof and by substituting therefor the following:

"**184.**—(1) If it appears desirable to the Board of any district that a sum of money should be borrowed upon the security of the district for securing, purchasing, adding to, extending, or improving a school site or sites or a site for a teacher's house or for securing a water supply or for constructing a sewage line or sewage disposal plant, or for purchasing, repairing, moving, erecting, furnishing or adding to any school building, or for the purpose of paying off an existing debenture or debentures and in the case of a consolidated school district for the additional purpose of purchasing conveyances, or for all or any of the said purposes, it shall pass a by-law to that effect, which may be in the form prescribed by the Minister or to the like effect, and which shall be under the corporate seal of the district.";

(b) by adding immediately after subsection (4) thereof the following new subsection:

"(5) Any surplus remaining from the proceeds of the sale of debentures after all expenditures for the specific purpose or purposes for which the debentures were authorized have been made shall be placed in a suspense account and shall be applied to redeem the debentures."

**19.** The said Act is further amended as to section 186 by striking out subsection (1) thereof and by substituting therefor the following:

"**186.**—(1) A poll of the proprietary electors for and against the by-law may be demanded within fifteen days after the date of the posting or of the last publication of

the notices mentioned in section 185, by a demand in writing signed by five per cent of the proprietary electors of the school district; except that in a district situated wholly or in part within the boundaries of a city, the demand shall be signed by one hundred proprietary electors.

“(1a) Notwithstanding the provisions of subsection (1) no poll shall be demanded if the amount to be borrowed is for the purpose of providing a first schoolhouse for the district and does not exceed two thousand dollars; or is for the purpose of erecting a first schoolhouse for a consolidated district and does not exceed five thousand dollars.”.

**20.** The said Act is further amended as to section 194 by striking out the same and by substituting therefor the following:

“**194.** The returning officer in each district and the deputy returning officer in charge of each poll in the case of a division shall admit any two proprietary electors, who may be present at the conclusion of the taking of the poll, to act as scrutineers, who shall be entitled to observe the counting of the ballots.”.

**21.** The said Act is further amended as to section 205 by striking out subsections (4) and (5) thereof and by substituting therefor the following:

“(4) The signature of the chairman or of the treasurer of the district on the debentures and the signatures of the chairman and the treasurer on the coupons may be engraved, lithographed, or otherwise mechanically reproduced, in which case the debentures and the coupons shall be deemed to be duly signed by the chairman and the treasurer of the district within the meaning of this section.

“(5) Except as otherwise provided, debentures to provide for the purchase of school sites and the erection of school buildings shall not run for a longer term than,—

“(a) thirty years, if the buildings are to be built of solid brick, concrete or stone;

“(b) twenty-five years, if the buildings are to be built of brick and terra cotta hollow tile;

“(c) twenty years, if the buildings are to be built of frame, stucco or brick veneer;

“(d) ten years, if the buildings are to be built of logs.

“(6) In the case of a school district within which a city is situated in whole or in part, debentures to provide for the purchase of school sites and the erection of school buildings shall not run for a longer term than,—

“(a) fifty years, if the buildings are to be built on solid brick, concrete, or stone;

“(b) forty years, if the buildings are to be built of brick and terra cotta hollow tile;

“(c) thirty years, if the buildings are to be built of frame, stucco or brick veneer.

“(7) In the event of the first instalment of principal and interest of any debenture being made payable at any time after one year from the date of the debenture, such debenture may run for fifty, forty, thirty, twenty-five, twenty or ten years, as the case may be, from the date of the payment of the first instalment of principal and interest.”.

**22.** The said Act is further amended as to section 207,—

- (a) by renumbering the same as subsection (1) thereof;
- (b) by adding immediately after subsection (1) thereof the following new subsection:

“(2) Notwithstanding the provisions of subsection (1), with the approval of the Minister and the Board of Public Utility Commissioners, the debentures may be dated at any time within two years from the date on which notice of the authorization of the loan appears in *The Alberta Gazette*.”.

**23.** The said Act is further amended as to section 208a by adding immediately after the word “lithographed”, where the same occurs in subsection (8) thereof, the words “or otherwise mechanically reproduced”.

**24.** The said Act is further amended as to section 218 by striking out the words “under this section” where the same occur therein.

**25.** The said Act is further amended as to section 251,—

- (a) by adding immediately at the end of paragraph (b) of subsection (5) thereof the words “and if any such district has, prior to the transfer, been included in a division by agreement pursuant to section 280, the Minister may order that the agreement and any amendments thereto shall be in full force and effect as between the district and the division to which it is transferred to the same extent and subject to the same provisions of this Act as if it had been made between the district and the last mentioned division;”;
- (b) by striking out the words “and where any district has been or is hereafter included in a division by agreement pursuant to section 280 and the district is subsequently transferred to another division may order that the agreement and any amendments thereto shall be in full force and effect as between the district and the division to which it has been transferred to the same extent and subject to the same provisions of this Act as if it had been made between the district and the last mentioned division” where the same occur in subsection (5a) thereof.

**26.** The said Act is further amended as to section 253 by striking out subsections (1), (2) and (3) thereof and by substituting therefor the following:

**"253.—(1)** An annual meeting of the electors of the districts within each subdivision of a division shall be held at two o'clock in the afternoon at such place and upon such date between the first day of November and the fifteenth day of December inclusive as may be fixed by the Divisional Board for that purpose:

"Provided that upon request by resolution of the Board, the Minister may order that the annual meeting in any subdivision shall begin at some hour other than two o'clock, in which case, notwithstanding the provisions of subsection (6) hereof, the time for receipt of nominations, if an election is to be held, shall expire two hours later than the time of commencement of the meeting as specified in the order:

"Provided further that if for unavoidable reasons the meeting is not held before the fifteenth day of December, it shall be held at such later date as the Minister may approve.

**"(2)** By resolution of the Divisional Board and subject to the approval of the Minister, the annual meetings of two or more subdivisions of the division may be held jointly at the same place and time.

**"(3)** The secretary of the division shall not later than the eighth day prior to the date fixed for holding such meeting post up, or cause to be posted up, a copy of the notice in writing in Form I of the Schedule in each operating school and in each post office within the subdivision or subdivisions for which the meeting is to be held, and also in each post office located within any town or village district surrounded by, or adjacent to, the subdivision or subdivisions and shall further give notice of such meeting in any one of the following methods:

**"(a)** By causing, prior to the date of the meeting a copy of the notice of such meeting in Form I to be printed in at least two issues of each newspaper published in the division and in any town or village surrounded by or adjacent to any districts of the division, and if there be no such newspaper, then in at least two issues of each of two daily newspapers published in Alberta having circulation within the division;

**"(b)** By causing, not later than the eighth day prior to the date fixed for holding such meeting, a copy of the notice of such meeting in writing in Form I to be posted up in each of five conspicuous places, including the post offices and operating schools hereinbefore mentioned, in each district of the subdivision or subdivisions for which the meeting is to be held;

**"(c)** By causing a notice giving the time, place, date and purpose of such meeting to be announced between the hours of six o'clock and ten o'clock in the evening on three successive days during the eight days immediately prior to the day of the meeting, on a radio station that has coverage over the entire division.

“(3a) If an election is to be held in a subdivision, the secretary of the division shall, not later than fifteen days prior to the date fixed for holding the annual meeting, deliver at least five copies of Forms J and K to the secretary of each school district within that subdivision.”.

**27.** The said Act is further amended as to section 257 by adding immediately after subsection (2) thereof the following new subsection:

“(2a) The Board may direct the electors of any district in which no school is in operation to cast their votes at the poll conducted in some other district of the same subdivision by posting a notice in the post office within the district or nearest thereto and in at least four other conspicuous places within the district.”.

**28.** The said Act is further amended as to section 269 by adding immediately at the end thereof the following new subsection:

“(9) The Board may adopt rules of procedure not inconsistent with this Act governing the conduct of its meetings and may by resolution exclude any member of the board from any meeting if such member violates or refuses to comply with any such rule.”.

**29.** The said Act is further amended as to section 270a,—

(a) by striking out the words “the first day of October”, where the same occur in paragraph (b) thereof, and by substituting therefor the words “the first day of September”;

(b) by striking out paragraphs (d) and (e) thereof and by substituting therefor the following:

“(d) the Minister shall by order fix the term of office of each trustee whose election is required by the provisions of paragraph (b) of this section.”.

**30.** The said Act is further amended as to section 271 by striking out the words “from and after the expiration of the third year after the year in which the division was constituted” where the same occur in the first proviso to paragraph (a) thereof.

**31.** The said Act is further amended as to section 272 by striking out the word “such” where the same occurs in clause (ix) thereof.

**32.** The said Act is further amended as to section 273a by adding immediately at the end of subsection (2) thereof the words “and that one or more designated trustees resident within that district shall cease to hold office on the date fixed in the order”.

**33.** The said Act is further amended as to section 274 by striking out the words "district comprised in", where the same occur in paragraph (d) of subsection (1) thereof, and by substituting therefor the words "districts included in".

**34.** The said Act is further amended as to section 275,—

- (a) by striking out the words "chief inspector", where the same occur in paragraph (c) thereof, and by substituting therefor the words "chief superintendent";
- (d) by adding immediately after paragraph (s) thereof the following new paragraphs:
  - "(t) to purchase or otherwise acquire a site for a sewage disposal plant and to purchase or otherwise acquire lands or easements extending beyond the boundaries of the site of any school building for any sewage, water, gas or electric power lines to or from any such building;
  - "(u) to enter into an agreement with any municipality or with any person, firm or corporation, whereby sewage facilities may be provided for any school building and the Board may pay such sum or sums for the facilities provided as may be agreed upon;
  - "(v) to invest any surplus funds and reserves in any security in which trust funds may be invested under the provisions of *The Trustee Act*."

**35.** The said Act is further amended as to section 280 by striking out the words "the amount, if any, for which an additional requisition is to be made upon the municipality in excess of the amount for which a requisition is authorized by section 293", where the same occur therein, and by substituting therefor the words "the amount, if any, by which the requisition to be made upon each such municipality under the provisions of section 293 shall be increased or decreased".

**36.** The said Act is further amended as to section 302,—

- (a) by adding immediately before the word "electors", where the same occurs in paragraph (a) thereof, the word "proprietary";
- (b) by striking out the words "forty thousand", where the same occur in paragraph (a) thereof, and by substituting therefor the words "sixty thousand";
- (c) by striking out paragraph (b) thereof and by substituting therefor the following:
  - "(b) A poll of the proprietary electors of the division for and against the by-law shall not be held unless the demand is signed by five proprietary electors of each of at least twenty per cent of the districts in the division;"



“(2) It shall be the duty of each superintendent,—

- 38.** The said Act is further amended as to section 305 by striking out the word "October", where the same occurs in paragraph (e) thereof, and by substituting therefor the word "December".

“FORM I.

..... School Division No. ....

“Take notice that annual meetings of electors of school districts in all subdivisions of this School Division will be held as indicated below.—

[illegible]

"At meetings marked (N), nominations for the office of divisional trustee will be received at any time prior to the hour of.....o'clock p.m. The subdivisions in which trustees are to be elected are Nos.....

"Forms J and K, to be used in making and consenting to nominations, may be obtained from the Secretary of your local District, or from the undersigned

.....  
(Secretary)

.....School Division No.....

.....  
(Address)"

**40.** The said Act is further amended as to Part II of the Schedule by striking out the words "of offering the instruction by the aggregate credits of all pupils in the preceding year", where the same occur in section 3 thereof, and by substituting therefor the words "of providing the instruction by the aggregate number of credits offered to all pupils enrolled in the preceding year".

**41.** This Act shall come into force on the day upon which it is assented to, and upon so coming into force section 21 hereof amending section 205 of the Act shall be deemed to have been in force at all times from and after the first day of September, 1947.

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FIFTH SESSION  
**TENTH LEGISLATURE**  
12 GEORGE VI  
1948

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**BILL**

An Act to amend The School Act.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. CASEY.

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