

No. 92

3rd Session, 13th Legislature, Alberta
5 Elizabeth II, 1957

BILL 92

A Bill to amend The School Act

HON. MR. AALBORG

EDMONTON, ALBERTA
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Explanatory Note

2. Section 4 presently reads:

"4. (1) The Minister, by an order in writing, may establish any portion of the Province as a public school district.

"(2) The Minister shall appoint an official trustee of the district who, on receipt of instructions from the Minister, shall call a meeting of the electors of the district to elect trustees."

If upon establishment the district is immediately included within a school division, as is now commonly the case, there is no need to appoint an official trustee.

3. Subsection (1) presently reads:

"88. (1) Any trustee who

"(a) is convicted of a criminal offence punishable by a term of over one year's imprisonment,

"(b) is convicted of any offence against the provisions of this Act and for which a penalty is provided,

"(c) becomes insane,

"(d) absents himself from the meetings of the board for three consecutive months without being authorized by resolution entered upon its minutes, or

"(e) ceases to reside within the district or, in the case of a divisional trustee, within the subdivision, for which he is a trustee,

shall be deemed to have vacated his seat, and the remaining trustee or trustees shall declare his seat vacant and forthwith order a new election to fill the vacancy."

4. Section 105 reads in part:

"105. The following persons are entitled to vote at an election in an established district other than a town or city district:

"(a) a Canadian citizen of the full age of twenty-one years who is and has been a resident of the district for a period of not less than thirty days, and who

"(i) is the owner of property in the district liable to assessment for school purposes,".

5. Section 129 presently reads:

"129. In counting the ballots the chairman shall examine the ballot papers individually and any ballot paper

"(a) that is not initialled as herein provided,

"(b) on which more than the authorized number of votes are given,

"(c) on which anything is written or marked by which the voter can be identified, or

"(d) that has been torn, defaced or otherwise dealt with by the voter so that he can thereby be identified,

shall not be counted but shall be rejected and set aside as a rejected ballot."

This section refers to annual election of trustees.

BILL

No. 92 of 1957

An Act to amend The School Act

(Assented to _____, 1957)

HER 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 297 of the Revised Statutes of Alberta, 1955, is hereby amended.

2. Section 4, subsection (2) is amended by striking out the words "shall appoint" and by substituting the words "may appoint".

3. Section 38, subsection (1) is amended

- (a) by striking out the word "or" at the end of clause (d),
- (b) by adding the word "or" immediately at the end of clause (e),
- (c) by adding immediately after clause (e) the following:
“(f) ceases to be an elector of the district.”.

4. Section 105, clause (a) is amended by striking out the words "thirty days" and by substituting the words "six months".

5. Section 129 is struck out and the following is substituted:

“129. Where a voter has, with an honest intention in favour of one of the candidates whose name is upon a ballot paper and without any apparent intention of identification, marked his ballot paper with some mark other than a crossmark (X) or marked his ballot paper with a pen or pencil other than the pencil provided, clearly

6. Any two electors are entitled to examine the poll book and to copy the names therein.

7. Board empowered to delegate authority to appoint certain classes of employees.

8. See note to clause 11.

9. Subsection (1), clause (b) presently reads:

"178. (1) The board of a non-divisional district or of a division may
" (b) subject to the approval of the Minister, enter into an agreement with any other board or boards for the instruction of pupils in any grade and in any course approved by the Department, upon such terms, including the fees payable by the board, as may be mutually fixed,".

Subsection (6) reads as follows:

"(6) The board of a non-divisional district or of a division may, with the approval of the Minister, enter into an agreement with the Government of Canada to educate the children of members of the regular armed forces, or of other persons employed by the Government of Canada, in a school or schools of the district or division and to receive consideration therefor."

10. Clause (d) authorizes a board to operate pupil traffic patrols at intersections in the vicinity of its schools. The amendment also permits them to be operated at school bus stops.

11. This is the present clause (c) of section 175, with the power of the Lieutenant Governor added. Under section 175 a board was authorized to effect insurance coverage; under section 181 it is required to.

indicating in either case an intent to mark in favour of a name, it shall be deemed a sufficient vote for the candidate in whose favour the same is so marked, but not if a cross-mark and other mark or either appear for more candidates than there are trustees to be elected.”.

6. Section 145 is amended by adding immediately after subsection (5) the following:

“(6) Upon being requested in writing by two electors, the returning officer shall permit such electors, in his presence and in the presence of the superintendent of schools to examine the poll books and to make a listing of names therefrom.

“(7) Notice of the time and place of any such examination shall be given to each candidate in the election and he or his representative is entitled to be present thereat.”.

7. Section 173 is amended by adding immediately after subsection (2) the following:

“(2a) The Board may delegate to the secretary, treasurer, secretary-treasurer or the superintendent authority to appoint officers and servants of certain designated classes.”.

8. Section 175 is amended by striking out clause (c).

9. Section 178 is amended

- (a) as to subsection (1), clause (b) by adding immediately after the words “board or boards” the words “in the Province, or a board or other publicly constituted school authority in the provinces of Saskatchewan or British Columbia, or in the Northwest Territories or in the State of Montana,”.
- (b) as to subsection (6) by adding immediately after the word “educate” the words “Indian children or”.

10. Section 180, clause (d) is amended by adding immediately after the word “schools” the words “and at any school bus stops”.

11. Section 181 is amended

- (a) by striking out immediately at the end of clause (b) the word “and”,
- (b) by adding immediately after clause (b) the following:
 - “(c) effect and keep in force a policy or policies of insurance, in such form and providing such minimum coverage as the Lieutenant Governor

12. Section 205 presently reads as follows:

"205. (1) The auditor shall audit and report upon all books and accounts affecting the district or division or relating to any matter under its control or within its jurisdiction.

"(2) After the examination of every account, voucher, receipt and paid debenture, the auditor shall stamp or write thereon in indelible letters the word "Audited" and initial the same.

"(3) He shall verify the cash balance as shown by the secretary-treasurer's books by counting the cash.

"(4) In no case shall he certify to the correctness of the books until he has checked the deposits entered in the cash book with the deposits shown in the bank book."

13. Board authorized to acquire sites outside the district, for school buildings. Section 213 reads as follows:

"213. In a non-divisional town or city district the board may select and acquire such sites for school buildings as it deems desirable and may select and acquire additions to existing sites."

14. Section 225 reads as follows:

"225. No school building shall be erected and no addition to a school building shall be made except in accordance with plans and specifications approved by the Department."

Approval of Department no longer required for certain types of school buildings.

15. Section 226 reads as follows:

"226. No structural alteration of a school building shall be made until the alteration has been approved by the Department."

16. Contracts for the construction or purchase of a school building not used for the instruction or accommodation of pupils no longer required to be approved by the Minister. Subsection (4) reads:

"(4) Subject to subsections (2) and (3), a contract for the construction of a school building or for the purchase of a building to be used for school purposes may be entered into or signed by the trustees subject to the Minister giving his approval thereto."

Subsection (5) is amended to conform with the change made in subsection (4).

Subsection (6) is amended to conform with the change made in subsection (4).

in Council may from time to time prescribe, indemnifying the board and its employees, when acting on behalf of the board, against liability in respect of any claim for damages or personal injury, and”,

- (c) by renumbering the present clause (c) as clause (d).

12. Section 205 is amended by striking out subsections (2), (3) and (4) and by substituting the following:

“(2) The auditor shall conduct a general review of the accounting procedures used and such tests of the accounting records and supporting evidence as he considers necessary or as may be necessary to verify the returns required to be furnished to the Department.”.

13. Section 213 is amended by adding immediately after the words “school buildings” the words “either within or without the district”.

14. Section 225 is amended by adding immediately after the words “school building” the words “used for the instruction or accommodation of pupils”.

15. Section 226 is amended by adding immediately after the words “school building” the words “used for the instruction or accommodation of pupils”.

16. Section 227 is amended

- (a) as to subsection (4) by striking out the words “of a school building or for the purchase of a building to be used for school purposes” and by substituting the words “or purchase of a school building to be used for the instruction or accommodation of pupils”,
- (b) as to subsection (5) by striking out the words “erection or construction of a school building or for the purchase of a building to be used for school purposes” and by substituting the words “construction or purchase of a school building to be used for the instruction or accommodation of pupils”,
- (c) as to subsection (6) by adding immediately after the word “materials” the words “in connection with a contract for the construction or purchase of a school building to be used for the instruction or accommodation of pupils”.

17. Rural, village and consolidated school districts permitted to erect buildings by day labour without having to defray the expense from current revenue. Subsections (1) and (2) read:

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

"(2) In a town or city district and in a division, the trustees may submit to the Minister a scheme for the erection of a school building by day labour."

18. Subsection (1) reads:

"237. (1) Within five days after the passing of the by-law the board, subject to the provisions of section 238, shall give notice of its intention to apply to the Board of Public Utility Commissioners for authority to borrow the amount specified in the by-law on the conditions therein set forth."

19. Section 239 provides that a poll for or against a debenture by-law may be demanded. Subsection (2) states the number of electors in various types of districts who must make the demand. Clause (b) reads:

"(2) The demand for a poll shall be in writing and shall be signed
 "(b) in a city district, by one hundred proprietary electors, and".

20. An unnecessary requirement is struck out. Section 284, subsection (1), clause (a) reads as follows:

"284. (1) On or before the fifteenth day of February in each year the proper officer of a municipality within which a non-divisional district is situate in whole or in part shall provide a certificate to the secretary of the district board showing

"(a) the total assessed value of

"(i) all lands, buildings and improvements or such amount in lieu thereof as may be determined by the Director of Assessments under the provisions of subsection (2) of section 7 of The Assessment Act, and

"(ii) all personal property, other than stock in trade, liable to assessment and taxation at the thirty-first day of December of the preceding year in the part of the district that is within the municipality, and".

21. Section 362, providing for the computation of a teacher's salary, is amended by adding a new clause to subsection (4). Subsection (4) lists all the days on which a teacher is deemed to be teaching.

22. Board authorized to appoint acting principal, vice-principal or assistant principal on a temporary basis.

17. Section 229 is amended

- (a) by striking out subsection (1),
- (b) as to subsection (2) by striking out the words "In a town or city district and in a division" and by substituting the words "In any district or division".

18. Section 237, subsection (1) is amended by striking out the word "five" and by substituting the word "ten".

19. Section 239, subsection (2), clause (b) is amended by adding immediately after the word "electors" the words "or by five per cent of the proprietary electors, whichever is the lesser number".

20. Section 284, subsection (1), clause (a) is amended by striking out the words "assessment and".

21. Section 362, subsection (4) is amended

- (a) by striking out immediately at the end of clause (e) the word "or",
- (b) by adding immediately at the end of clause (f) the word "or",
- (c) by adding immediately after clause (f) the following:
 - "(g) upon which he is attending any meeting authorized or required by the board."

22. Section 370 is amended by adding immediately after subsection (3) the following:

"(4) The board may designate a teacher to be an acting principal or an acting vice-principal or an acting assistant principal for a period to terminate on or before the thirtieth day of June, next following."

23. This Act comes into force on the day upon which the Revised Statutes of Alberta, 1955, come into force.

No. 92

THIRD SESSION

THIRTEENTH LEGISLATURE

5 ELIZABETH II

1957

BILL

An Act to amend The School Act

Received and read the

First time.....

Second time.....

Third time.....

HON. MR. AALBORG
