

No. 67

5th Session, 14th Legislature, Alberta
11 Elizabeth II

BILL 67

A Bill to Enable the Granting of Greater Independence to
Certain School Districts

HON. MR. AALBORG

Explanatory Note

General—This Bill sets out an Act to enable certain city school districts to exercise greater responsibility with respect to the management of their schools and the program of studies offered at their schools.

2. Meaning of words.

3. Application for accredited status.

4. Duties of Minister on receipt of application.

5. Public hearings are to be held after the Minister gives a provisional approval.

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No. 67 of 1963

An Act to Enable the Granting of Greater Independence to
Certain School Districts

(Assented to _____, 1963)

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

1. This Act may be cited as "*The Accredited School Districts Act*".

2. Words used in this Act have the same meaning as they have in *The School Act*.

Establishment of an Accredited School District

3. (1) The board of trustees of a city school district that has an enrolment of pupils in its schools in excess of ten thousand may apply to the Minister to become an accredited school district.

(2) The application shall be made in writing on or before the first day of February in any year.

4. (1) The Minister shall cause a survey and study of the district to be made, including its administration, its school plant, its staff, its school program, and any other aspects of the business and operations of the district.

(2) For this purpose he shall establish such committee or board of examiners as he considers necessary.

(3) Upon receipt of the report covering the survey or study the Minister may give, or decline to give, in his discretion, provisional approval of the application.

5. (1) Where the Minister gives a provisional approval he shall cause a notice to be published in three consecutive issues of at least one newspaper published and circulated in the district

(a) stating that he has given his provisional approval of the application, and

(b) stating the times and places at which one or more public hearings are to be held for the purpose of hearing argument for or against the school district being an accredited school district.

6. Withdrawal of provisional approval.

7. Establishment of an accredited school district after a plebiscite of the electors.

8. Establishment of an accredited school district when no petition for a plebiscite is presented.

9. Application deemed to be withdrawn if not confirmed by September 1st.

(2) The notice shall be published not later than the first day of July and any public hearing shall be commenced not later than the first day of August in the year in which the application is made.

(3) The public hearing shall be conducted by a person appointed by the Minister who shall report thereon to the Minister and to the board of the school district.

6. The Minister, if he considers it a fit and proper case to do so, may withdraw a provisional approval at any time

- (a) after a public hearing is held as mentioned in section 5, and
- (b) before a petition is presented as mentioned in section 7.

7. (1) Where the board of the school district advises the Minister on or before the first day of September in the year in which the application is made that it wishes to proceed with the application, then,

- (a) if the Minister has not withdrawn his provisional approval, and
- (b) if a petition requesting a plebiscite and bearing the signatures of at least five hundred electors of the district is submitted to the board on or before the thirtieth day of September in that year,

there shall be held at the time of the next election of trustees a vote of the electors to determine whether they are for or against the district being an accredited school district.

(2) On a vote under subsection (1), the question on the ballot shall be in a form approved by the Minister.

(3) If a majority of the electors voting are in favour of the question the Lieutenant Governor in Council shall declare the district to be an accredited school district as of the thirty-first day of December in the year in which the application is made.

8. Where the board of the school district advises the Minister on or before the first day of September in the year in which the application is made that it wishes to proceed with the application, then,

- (a) if the Minister has not withdrawn his provisional approval, and
- (b) no petition as mentioned in section 7 is received by the board on or before the thirtieth day of September in that year,

the Lieutenant Governor in Council shall declare the district to be an accredited school district as of the thirty-first day of December in the year in which the application is made.

9. If by the first day of September in the year in which the application is made, the board does not advise the

10. Effect of Minister's decisions.

11. Accredited school districts given greater freedom in determining the program of studies in its schools.

12. Maintenance of academic standards in accredited school districts.

13. Certain provisions of The School Act are not applicable to accredited school districts.

14. The School Foundation Program Fund does not apply with respect to accredited school districts.

15. Grants under The School Grants Act.

16. An accredited school district may be empowered to levy and collect its own taxes instead of making requisition upon the city.

Minister of its wish to proceed with the application, the application shall be deemed to have been withdrawn.

10. A decision of the Minister

(a) to refuse to give a provisional approval, or

(b) to withdraw a provisional approval,

is final and the application is thereby rejected but a new application pursuant to section 3 may be made by the school board in any year thereafter.

Powers of an Accredited School District

11. (1) Subject to subsection (2), an accredited school district is not required to use in its schools the programs of study or the text books issued or prescribed by the Minister pursuant to *The Department of Education Act*.

(2) An accredited school district shall offer such minimum program of studies in its elementary, junior high and high schools as may be prescribed by the Minister.

12. (1) An accredited school district shall administer to its pupils such examinations as the Minister may prescribe and, if directed by the Minister to do so, shall arrange for the marking of the examinations and report the results in respect of each pupil to the Minister.

(2) An accredited school district shall permit inspectors and other officers of the Department to enter its schools to examine the work being done therein and to administer tests and conduct surveys.

13. (1) The following provisions of *The School Act* do not apply with respect to an accredited school district:

- sections 340 and 341;
- subsections (2) to (5) of section 350;
- subsections (2) to (9) of section 350a;
- sections 351 to 357;
- subsections (3) and (3a) of section 371;
- sections 371a and 372;
- sections 377 to 380.

(2) The board of an accredited school district may make its own rules in respect of the matters referred to in the provisions mentioned in subsection (1).

14. Section 304a of *The School Act* and the regulations thereunder do not apply to an accredited school district or to any municipality in respect of such a district.

15. The Lieutenant Governor in Council shall, in conformity with *The School Grants Act*, provide for the payment of grants to accredited school districts.

16. (1) The board of an accredited school district may apply to the Minister for a declaration that section 385 of

17. Control of school building projects by accredited school districts.

18. Application to revert to an ordinary school district.

19. A city school district may be re-established on the recommendation of the Minister.

20. Authority to make regulations.

21. Commencement of Act.

The School Act does not apply to the district and the Minister, with the approval of the Lieutenant Governor in Council, may declare that the section does not apply to the district after the thirty-first day of December next following the making of his order.

(2) Where section 285 does not apply to an accredited school district, the district may levy and collect its own taxes and has all the powers of a city under Part VIII of *The City Act* with respect to assessment and taxation.

17. (1) *The School Buildings Act* does not apply to an accredited school district with respect to any school building the contract for construction of which is entered into after the district became an accredited school district.

(2) It is not necessary for an accredited school district to give notice to or obtain the consent or approval of the Minister or the Department when exercising any of the powers set out in sections 223 to 230 of *The School Act*.

Termination of Accredited Status

18. (1) The board of an accredited school district may apply to the Minister to revert to the status of an ordinary city school district.

(2) The application shall be made in writing on or before the first day of February in any year.

(3) The Minister may give his provisional approval of the application and where he does, the procedures set out in sections 5 to 10 shall, with the necessary changes being made, be followed to determine whether or not the district is to cease being an accredited school district.

(4) An order declaring a district to be no longer an accredited school district is effective as of the thirty-first day of December in the year in which the application is made.

19. The Minister may from time to time review the performance of an accredited school district and at any time after an accredited school district has been in existence for five years the Lieutenant Governor in Council, on the recommendation of the Minister, may declare the district to be no longer an accredited school district effective as of the thirty-first day of December in any year.

20. The Lieutenant Governor in Council may make such rules, regulations and orders, not inconsistent with this or any other Act, as he considers necessary to carry out the intent of this Act.

21. This Act comes into force on the day upon which it is assented to.

No. 67

FIFTH SESSION

FOURTEENTH LEGISLATURE

11 ELIZABETH II

1963

BILL

An Act to Enable the Granting of
Greater Independence to Certain
School Districts

Received and read the

First time

Second time

Third time

HON. MR. AALBORG
