

1969 Bill 42

Second Session, 16th Legislature, 18 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 42

An Act to amend The School Act

THE MINISTER OF EDUCATION

First Reading

Second Reading

Third Reading

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BILL 42

1969

An Act to amend The School Act

(Assented to _____, 1969)

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* is hereby amended.

2. Section 46*d* is amended by striking out subsection (1) and by substituting the following:

46*d*. (1) Part VIII applies, *mutatis mutandis*, to a regional high school district and to all participating parties to the agreement establishing the district as if the district were a division.

3. Section 85*a* is amended

(a) by striking out subsections (3) and (4) and by substituting the following:

(3) Upon receipt of the application the divisional board shall within 60 days call a meeting of the electors of the district for the purpose of conducting a poll for or against its exclusion by posting up notices of the meeting in at least six widely separated places in the district at least eight days prior to the meeting date.

(4) The divisional board shall appoint a returning officer and determine the manner of holding and procedure to be used at the poll.

(b) as to subsection (5) by striking out the word "chairman" and by substituting the words "returning officer".

4. Section 177 is amended by striking out clauses (a) and (b) and by substituting the following:

(a) select and provide such instructional materials for the use of the pupils and teachers as are required for the proper instruction of pupils,

(b) require that no instructional materials be used in schools under its control other than those recommended by or acceptable to the Department,

Explanatory Notes

1. This Bill amends chapter 297 of the Revised Statutes.

2. Section 46d (1) presently reads:

46d. (1) This Act applies to a regional high school district and to its board as though the district were a town district, except in so far as its provisions are in conflict with sections 46a to 46c or the agreement.

3. Section 85a (1), (3), (4) and (5) presently read:

85a. (1) The electors of a district which is one of the divisional districts electing one board of trustees pursuant to an order made under section 85, may apply to the divisional board by a petition for the district to be excluded from the application of the order.

(3) Upon receipt of the application the board of the division shall as soon as convenient conduct a poll of the electors of the district for and against its exclusion.

(4) All the provisions of Part 2 relating to the taking of a vote on the establishment of a proposed district, in so far as applicable, apply to the conduct of the poll.

(5) Forthwith after the poll the chairman shall certify to the result, and shall place in an envelope the certificate, the poll list, ballots, declarations and other records of the poll, securely seal the same and deliver it to or send it by registered mail to the secretary of the division, who shall advise the Minister as to the result of the poll.

4. Section 177 (a) and (b) presently read:

177. The board of a non-divisional district or of a division shall

(a) select and provide from the list authorized by the Minister all reference books for the use of the pupils and teachers and all globes, maps, charts and other apparatus that are approved by the inspector and required for the proper instruction of pupils,

(b) require that no text books or apparatus be used in the schools under its control other than those authorized by the Department or acceptable to it,

.....

5. Section 182 is amended by adding the following after clause (k) :

- (l) provide for or enter into agreements for the taking of video-tape pictures of classroom activities for use in closed circuit television as an aid in teacher education programs in the faculty of education of a university under *The Universities Act* or for in-service training of teachers as authorized by the board, and
- (m) implement any system approved by the Minister for recording school attendance.

6. Section 188 is amended by striking out clause (e2) and by substituting the following :

- (e2) fix and pay an allowance to each member of a centralized board established pursuant to section 85 in respect of his attendance at board meetings,

7. Section 224 is struck out and the following is substituted :

224. (1) Subject to the approval of the Minister and subject to any regulations made by the Minister with the approval of the Lieutenant Governor in Council, the board of a non-divisional district or of a division may enter into an agreement with the council of a municipality, or with the board of trustees of a non-divisional district or of a division, for the acquisition of a site for and the construction, ownership, maintenance, protection, operation and use of any grounds, building, equipment or recreational facility, required for the purposes of the district or division and for community purposes.

(2) Any constructed or proposed building involved in an agreement entered into under subsection (1) that is used for the instruction and accommodation of pupils shall, for those purposes, be subject to *The School Buildings Act* and this Act.

8. Section 265 is amended

- (a) as to subsection (3) by striking out the word "twelve" and by substituting the figure "24",
- (b) as to subsection (5) by striking out the words "two years" and by substituting the words "36 months".

9. Section 284 is amended by striking out subsection (5) and by substituting the following :

(5) In each year the board of a non-divisional district shall, within 30 days after the estimates of the Depart-

5. Section 182 (j) and (k) presently read:

182. The board of a non-divisional district or of a division may
.....

(j) make expenditures to provide educational radio and television services, and

(k) arrange for, undertake or sponsor for its pupils and at its own cost or otherwise educational, cultural or recreational trips within or without its boundaries.

6. Section 188 (e2) presently reads:

188. The board of a division may
.....

(e2) pay to each member of a centralized board established pursuant to section 85 an allowance of not more than 10 cents per mile for every mile necessarily travelled to attend meetings of the board,
.....

7. Section 224 presently reads:

224. Subject to the approval of the Minister and subject to any regulations made by the Minister with the approval of the Lieutenant Governor in Council, the board of a non-divisional district or of a division may enter into an agreement with the council of a municipality, or with the board of trustees of a non-divisional district or of a division, for the construction, ownership, maintenance, operation and use of any building required for the purposes of the district or division.

8. Time extended to facilitate debenture processing. Section 265 (3) and (5) presently read:

(3) Debentures may be dated at any time within 12 months from the date on which notice of the authorization of the loan appears in the Alberta Gazette.

(5) Notwithstanding the provisions of subsection (3), with the approval of the Minister and the Local Authorities Board, the debentures may be dated at any time within two years from the date on which the notice of the authorization of the loan appears in the Alberta Gazette.

9. Section 284 (5) presently reads:

(5) The board of a non-divisional district shall, on or before the 31st day of March of each year, prepare and adopt in the form prescribed by the Minister a detailed estimate of its revenues and expenditures for the current year.

ment have been approved by the Legislature, prepare and adopt in the form prescribed by the Minister a detailed estimate of its revenues and expenditures for the current year.

10. Section 285 is amended by striking out subsection (1) and by substituting the following:

285. (1) The board of a non-divisional district shall, immediately after adopting its estimates, submit to each municipality in the form prescribed by the Minister its requisition for that portion of its estimate that is required to be raised by the municipality.

11. The following heading and section are added after section 296:

Inspection by District or Division

296a. The board of a non-divisional district or of a division is entitled, at its own expense, to receive from each municipality contributing to the assessment respecting the district or division, as the case may be, a copy of the whole or a part of the assessment roll of the municipality.

12. Section 298 is amended by striking out subsection (1) and by substituting the following:

298. (1) In each year the divisional board shall, within 30 days after the estimates of the Department have been approved by the Legislature, prepare and adopt in the form prescribed by the Minister a detailed estimate of its revenues and its expenditures for the current year.

13. Section 301 is amended by striking out subsection (1) and by substituting the following:

301. (1) The divisional board shall, immediately after adopting its estimates, submit to each municipality in the form prescribed by the Minister its requisition for that portion of its estimate that is required to be raised by the municipality.

14. Section 368, subsection (1) is amended

(a) by striking out clauses (e) and (f) and by substituting the following:

(e) keep a record of the school attendance in such manner and form as the Department may require,

10. For clarification and to remove a conflict with section 304a (9). Section 285 (1) presently reads:

285. (1) Immediately after the adoption of its estimate and, where applicable, the receipt of the advice of the Department pursuant to subsection (9) of section 304a, the board of a non-divisional district shall on the form approved by the Minister requisition the municipality for that portion of its estimate that is required to be raised by the municipality.

11. To provide the district or division with an effective means of inspection.

12. Section 298 (1) presently reads:

298. (1) On or before the 31st day of March in each year a divisional board shall prepare and adopt in the form prescribed by the Minister a detailed estimate of its revenues and expenditures for the current year.

13. For clarification and to remove a conflict with section 304a (9). Section 301 (1) presently reads:

301. (1) A divisional board, as soon as possible after the adoption of its estimates and, where applicable, the receipt of the advice of the Department pursuant to subsection (9) of section 304a, shall submit to each municipality, on the form approved by the Minister, its requisition computed according to the provisions of section 300.

14. Section 368 (1) (e), (f) and (r) presently read:

368. (1) A teacher shall

.....

(e) keep the school registers in the prescribed form and give access to them to trustees, officers of the board, inspectors and any other person authorized by the Minister to inspect them.

(f) report to the attendance officer of the district or of the division in which the school is situated,

(i) the names, ages and residences of all pupils on the school register who have not attended school as required by Part 14, together with such other information as the attendance officer may require, and

(ii) every case of suspension or expulsion from school,

.....

(r) deliver up the school registers, school building keys or any other property of the board in his possession when required to do so by a written order of the board,

.....

(b) by striking out clause (r) and by substituting the following:

(r) deliver up any property of the board in his possession when required to do so by written order of the board,

15. Section 391 is amended by striking out subsection (2).

16. Section 413, clause (b) is amended by striking out the words "school register" and by substituting the words "portion of the school attendance record".

17. Section 425, subsection (1) is amended by striking out the word "register" and by substituting the words "attendance record".

18. Section 448, subsection (2) is amended by striking out the words "twenty-five cents for the first one hundred words or fraction thereof and ten cents for each additional one hundred words" and by substituting the words "\$1 for the first 100 words or fraction thereof and 50 cents for each additional 100 words or fraction thereof".

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

15. Section 391 presently reads:

391. (1) Religious instruction may be permitted in a school, up to a maximum of 150 minutes a week, at such time or times during the week as is approved by resolution of the board.

(2) Notwithstanding subsection (1), in a high school providing departmentalized instruction religious instruction may be given to each class for a period not exceeding one-half hour per day, at such time or times as may be approved by the board.

16. Section 413 presently reads:

413. Upon the trial of a complaint under this Part,

(a) the affidavit of service of the warning notice, and

(b) the school register containing the entries showing the absence from school of the child on the days specified in the information or complaint,

are admissible in evidence and constitute prima facie proof of the commission of an offence under section 410.

17. Section 425 (1) presently reads:

425. (1) A trustee who knowingly signs a false report, or a teacher who keeps a school register falsely, in violation of the regulations of the Department, or knowingly makes a false return, is guilty of an offence and liable on summary conviction to a fine not exceeding \$25.

18. Section 448 (2) presently reads:

(2) An elector may demand a copy of any such minutes, by-law, contract, or account and the secretary shall furnish the same within a reasonable time upon payment therefor at the rate of twenty-five cents for the first one hundred words or fraction thereof and ten cents for each additional one hundred words.