

1978 BILL 238

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Fourth Session, 18th Legislature, 27 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# BILL 238

AN ACT TO AMEND THE SCHOOL ACT

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MR. NOTLEY

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First Reading -----

Second Reading -----

Committee of the Whole -----

Third Reading -----

Royal Assent -----

Bill 238  
Mr. Notley

## BILL 238

1978

### AN ACT TO AMEND THE SCHOOL ACT

(Assented to \_\_\_\_\_, 1978)

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

1. *The School Act is amended by this Act.*
2. *The following is added after section 136:*

**136.1** (1) For the purposes of this section "handicapped child" shall mean

- (a) a child who has a mental or psychological condition which is not temporary and which results in the child being unable to receive a reasonable education through the normal school system, or
- (b) a child with a physical condition which is not temporary, relating to body movement or control, the senses or any other physical condition of the body,

which results in the child being unable to receive a reasonable education through the normal school system.

(2) With effect from September 1, 1979 a board shall, notwithstanding any other provision of this Act, provide educational facilities and services satisfactory to the Minister and in accordance with regulations under this Act for every handicapped child that is more than 6 years of age and less than 16 years of age whose parents reside in its district or division.

(3) A board may fulfill its duties under subsection (2) by making available special facilities and services for handicapped children, or by entering into an agreement with any other board, agency, individual or institution to provide instruction and services in accordance with this Act and the regulations.

(4) With respect to a handicapped child that has been admitted to a facility pursuant to *The Mental Health Act, 1972* or *The Alberta Hospitals Act*, the board in whose district or division the parents of the handicapped child reside shall bear such part of the cost of the handicapped child's maintenance in the facility that, as determined by the regulations, properly relates to the education it receives in that facility.

## **Explanatory Notes**

- 1. This Bill will amend chapter 329 of the Revised Statutes of Alberta, 1970.**
- 2. Provision for educational facilities for handicapped children.**

(5) The Minister shall by regulation establish a procedure to permit the examination of a child alleged by either a board or a parent of the child to be a handicapped child to ascertain whether the child is in fact a handicapped child.

*3. This Act comes into force on a date to be fixed by Proclamation which shall not be earlier than the effective date of an appropriation of money by the Legislature to the purposes of this Act.*