

BILL

No. ~~16~~ of 1910.

An Act respecting Truancy and Compulsory School Attendance.

(Assented to

1910.)

HIS 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 Truancy Act.*"
2. In this Act—
 - (a) "Inspector" shall mean an inspector of schools;
 - (b) "Principal" shall mean the head teacher of a public, separate or private school;
 - (c) "Regulations" shall mean regulations made under the authority of the Department of Education;
 - (d) "School" shall mean a public or a separate school or a private school at which instruction is given regularly in reading, spelling, writing, English literature, English grammar, geography, and arithmetic.
3. Every child between the ages of eight and thirteen years inclusive shall attend school for the full term during which the school of the district in which he resides is open each year, unless excused for the reasons hereinafter mentioned.
4. A person who has received into his house another person's child under the age of fourteen, who is a resident with him or is in his care or legal custody, shall be subject to the same duty with respect to the instruction of such child during such residence as a parent, and shall be liable to be proceeded against as in the case of a parent, if he fails to cause such child to be instructed as required by this Act; but the duty of the parent under this Act shall not be thereby affected or diminished.
5. A parent, guardian or other person shall not be liable to any penalty imposed by this Act in respect of a child if—
 - (a) The child is under efficient instruction at home or elsewhere;
 - (b) The child is unable to attend school by reason of sickness or other unavoidable cause;
 - (c) There is no public or separate school which the child has the right to attend within two miles, measured by the nearest highway from such child's residence, if he is under ten years of age, or within three miles if he is over that age;
 - (d) There is not sufficient accommodation in the school which the child has the right to attend;
 - (e) The child has been excused, as hereinafter provided, by a justice of the peace, or by the principal of the school which the child is entitled to attend; or

- (f) The child has passed the public school leaving examination prescribed by the Department of Education or has completed a course which gives him an equivalent standing.

6. No child under the age of fourteen years who has not a valid excuse under this Act shall be employed by any person during school hours while the public school of the district in which the child resides is in session, and any person who employs a child in contravention of this section shall incur a penalty not exceeding twenty dollars for each offence.

(2) Where in the opinion of a justice of the peace or of the principal of the school attended by any child the services of such child are required in husbandry or in urgent and necessary household duties, or for the necessary maintenance of such child or of some person dependent upon him, such justice or principal may by certificate setting forth the reasons therefor relieve such child from attending school for any period not exceeding six weeks during each public school term.

7. The municipal council of every city or town shall appoint, control and pay one or more truant officers for the enforcement of this Act and notice of such appointment shall be forthwith given to the school boards of the city or town.

(2) The Minister of Education may from time to time appoint or direct the superintendent of neglected and dependent children to appoint such truant officer or officers as may be required for the enforcement of this Act in districts that are not included within any city or town school district.

(3) A truant officer shall for the purposes of this Act be vested with the powers of a peace officer, and shall have authority to enter factories, workshops, stores, shops and all other places where children may be employed or congregated, and shall perform such services as may be necessary for the enforcement of this Act.

(4) If the council neglects to appoint a truant officer before the 1st day of February in any year the public school board of the district in which the city or town is situated may appoint a truant officer for the school districts situated wholly or in part within the municipality.

(5) The body making the appointment may make rules not inconsistent with the provisions of this Act or the Regulations, for the direction of the truant officer and the enforcement of the Act.

(6) Notice of every appointment made under this Act shall be given to the inspector within whose inspectorate the truant officer has jurisdiction.

(7) Every truant officer shall report monthly to the body appointing him and annually to the Minister of Education according to the forms prescribed by the regulations.

(8) Every truant officer shall examine into all cases of truancy within his knowledge or when requested to do so by an inspector, the superintendent of neglected and dependent children for the province, or by a school trustee, teacher, other truant officer or ratepayer, and shall warn the truants and their parents or guardians, in writing, of the consequences of truancy; and shall also notify the parent, guardian or other person having the charge or control of a child between the ages of eight and thirteen years inclusive not attending school as required by this Act to cause the child to attend some school forthwith.

8. A parent, guardian or other person having the charge or control of any child between the ages of eight and thirteen years inclusive who, after having been warned as provided for in the preceding section, neglects or refuses to cause such child to attend some school, unless such child is excused from attendance as provided by this Act, shall incur a penalty of not less than five dollars nor more than twenty dollars.

(2) The justice or justices of the peace trying a complaint under this section may instead of imposing a penalty require a person convicted of an offence under this section to give a bond in the penal sum of one hundred dollars, with one or more sureties to be approved by him or them, conditioned that the person convicted shall after the expiration of five days, cause the child to attend some school as required by this Act.

9. Every truant officer shall institute, or cause to be instituted, proceedings against a parent, guardian or other person having charge or control of a child, or against any other person violating any of the provisions of this Act.

10. The teacher or the principal of every public and separate school shall once in each month of the school year report to the truant officer of the city, town or district in which the school is situate the names, ages and residences of all pupils on the school register who have not attended school as required by this Act, together with such other information as the truant officer may require for enforcing the provisions of this Act.

(2) The teacher or principal, as the case may be, shall also forthwith report to the truant officer every case of expulsion.

11. Every person and officer charged with the duty of enforcing any provision of this Act who neglects to perform the duty imposed upon him shall incur a penalty not exceeding \$10 for each offence.

12. The penalties imposed by this Act shall be recoverable on summary conviction.

13. A conviction or order made in any matter arising under this Act shall not be removed, either at the instance of the Crown or of any private person, into the Supreme Court.

14. Where a person is charged with an offence under this Act in respect to a child who is alleged to be within the ages of eight and thirteen years inclusive and the child appears to the court to be within such ages the child shall, for the purposes of this Act, be deemed to be within such ages unless the contrary is proved.

15. Nothing herein shall be held to require the child of a Roman Catholic who is a separate school supporter to attend a public school or to require the child of a public school supporter to attend a Roman Catholic separate school.

(2) No penalty shall be imposed in respect to the absence of a child from school on a day regarded as a holy day by the church or religious denomination to which such child belongs.

16. This Act shall come into effect on January 1st, 1911.

No. 44

FIRST SESSION

SECOND LEGISLATURE

10 EDWARD VII

1910

BILL.

An Act respecting Truancy and Compulsory School Attendance.

Received and read the

First time.....

Second time.....

Third time

HON. A. C. RUTHERFORD.

EDMONTON
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