

2000 BILL 215

Fourth Session, 24th Legislature, 49 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 215

**SCHOOL (EARLY CHILDHOOD EDUCATION)
AMENDMENT ACT, 2000**

DR. MASSEY

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 215
Dr. Massey

BILL 215

2000

SCHOOL (EARLY CHILDHOOD EDUCATION) AMENDMENT ACT, 2000

(Assented to _____, 2000)

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

Amends SA
1988 cS-3.1

1 The *School Act* is amended by this Act.

**2 Section 8 is amended by adding the following after
subsection (1):**

(1.1) Subject to subsection (1.2), a child who at September 1 in a year is 5 years of age must attend an early childhood services program.

(1.2) The parent of a child who is 5 years of age may defer enrollment in an early childhood services program until the next school year.

Explanatory Notes

1 Amends chapter S-3.1 of the Statutes of Alberta, 1988.

2 Section 8 presently reads:

8(1) An individual who

(a) is eligible to be enrolled in a school,

(b) at September 1 in a year is 6 years of age or older, and

(c) is younger than 16 years of age,

shall attend school.

(2) A board may establish an attendance area for a school.

(2.01) A resident student of a board who resides in the attendance area for a school

(a) shall be enrolled in that school if a program offered in the school is suitable for the student in the opinion of the board, and

(b) shall be given priority over a student who does not reside in the attendance area if there are insufficient resources and facilities to accommodate both students in the opinion of the board.

3 The following is added after section 16:

Class size
targets

16.1(1) In this section, “class” means a group of

- (a) students, or
- (b) children in an early childhood services program

who are scheduled to report regularly at a particular time to a particular teacher.

(2) A board shall set as targets

- (a) 17 children in any early childhood services program class offered by or for a board under section 24, and

(2.1) A board shall make all reasonable efforts to ensure that a student who is a resident student of the board or who is enrolled in a school operated by the board attends school.

(3) Notwithstanding subsection (1), a student is excused from attending school on a day on which the school is open if

- (a) the student is unable to attend by reason of sickness or other unavoidable cause,*
- (b) the day is recognized as a religious holiday by the religious denomination to which the student belongs,*
- (c) the principal of the school has suspended the student from school and the suspension is still in effect,*
- (d) the student has been expelled from a school and has not been given permission to enroll in another school, or*
- (e) the board or, if the student is enrolled in a private school or resides in an unorganized territory, the Minister*
 - (i) determines that the parent of the student has shown sufficient cause as to why the student should not be required to attend school, and*
 - (ii) excuses the student from attending school for a prescribed period of time.*

(4) Where a student is excused from attendance at school under subsection (3)(e), that student is excused from attendance at school only during the period of time prescribed by the board or the Minister, as the case may be.

3 Class size targets

(b) 17 students in any class for grades 1 to 3.

(3) Where a school demonstrates to the board that there are compelling reasons for not complying with the maximum class size targets in subsection (2), the board may grant a waiver with any terms and conditions it deems appropriate.

(4) Any waiver granted by a board under subsection (3) must be

(a) made public, and

(b) provided to the Minister.

4 Section 24 is amended

(a) **in subsection (1) by striking out** “or, with the approval of the Minister, a person may” **and substituting** “shall”;

(b) **by adding the following after subsection (1):**

(1.1) A person may provide an early childhood services program under subsection (1) with the approval of the Minister.

(1.2) An early childhood services program offered pursuant to this section must be for a minimum of 475 hours per school year.

(c) **by repealing subsection (2).**

(d) **by adding the following after subsection (3):**

(4) A board shall arrange for every child enrolled in an early childhood services program to be tested for

(a) hearing,

(b) speech,

(c) learning disabilities, and

(d) physical development

by medical practitioners with qualifications as

4 Section 24 presently reads:

24(1) A board or, with the approval of the Minister, a person may provide an early childhood services program to

- (a) a child who, as of September 1, is younger than 6 years of age, if the parent of the child agrees, or*
- (b) a student, if the parent of the student and the board are of the opinion that the program will benefit the student.*

(2) A person or board that provides an early childhood services program may charge fees in respect of the program from the parent of a child referred to in subsection (1)(a) who attends the program.

(2.1) If a child referred to in subsection (1)(a) attends a program under this section, the child is not, by reason of attending that program,

- (a) a resident student of the board, or*
- (b) entitled to any of the rights or benefits given to a student under this Act.*

(3) The Minister may make regulations respecting early childhood services programs.

prescribed by the Minister.

(5) No fee shall be charged to any parent of a child for the tests in subsection (4).

(6) Where a child is unable to meet the requirements of an early childhood services program due to

(a) physical or mental disability, or

(b) language,

the board shall place the child in an alternative program.

5 This Act comes into force on July 1, 2001.

5 Coming into force.