

2012 Bill 4

Fifth Session, 27th Legislature, 61 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 4

**ST. ALBERT AND STURGEON VALLEY SCHOOL
DISTRICTS ESTABLISHMENT ACT**

THE MINISTER OF EDUCATION

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

BILL 4

2012

ST. ALBERT AND STURGEON VALLEY SCHOOL DISTRICTS ESTABLISHMENT ACT

(Assented to , 2012)

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Preamble

WHEREAS the minority of the population in St. Albert was of the Protestant faith at the time a separate school district was established for St. Albert;

WHEREAS the majority of the population in the St. Albert and Sturgeon Valley area was of the Roman Catholic faith at the time public school districts were first established for that area;

WHEREAS in recent years the demographics of the St. Albert and Sturgeon Valley area have changed so that only a minority of the overall population in that area is of the Roman Catholic faith;

WHEREAS the Government of Alberta is of the view that it is in the best interests of the students and others in the St. Albert and Sturgeon Valley area to provide for a public school district and a Roman Catholic separate school district;

WHEREAS the Government of Alberta believes in and is committed to honouring the rights guaranteed under the Constitution of Canada in respect of denominational education; and

WHEREAS the Government of Alberta recognizes that the educational needs of a community are best served by a democratically elected school board;

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

Interpretation

1(1) In this Act, “Minister” means the Minister determined under section 16 of the *Government Organization Act* as the Minister responsible for this Act.

(2) The words and expressions used in this Act have the same meaning as in the *School Act*.

Application of School Act

2(1) Subject to subsection (2) and the regulations, the *School Act* applies in respect of school districts and boards established under this Act as if those school districts and boards were established under the *School Act*.

(2) Where any provision of this Act is inconsistent with or conflicts with the *School Act*, the provision of this Act prevails to the extent of the inconsistency or conflict.

Establishment of St. Albert Public School District

3(1) The St. Albert Public School District No. 5565 is hereby established containing the land contained in The St. Albert Protestant Separate School District No. 6 immediately before its dissolution under section 4.

(2) A board for The St. Albert Public School District No. 5565 is hereby established, and the members of the board are a corporation under the name of “The Board of Trustees of The St. Albert Public School District No. 5565”.

(3) Subject to section 82 of the *School Act*, the trustees of The Board of Trustees of The St. Albert Protestant Separate School District No. 6 immediately before its dissolution under section 4 are the trustees of The Board of Trustees of The St. Albert Public School District No. 5565, who shall hold office until the first organizational meeting of the board held after the first general election following the coming into force of this section.

Dissolution of District

4(1) The St. Albert Protestant Separate School District No. 6 and The Board of Trustees of The St. Albert Protestant Separate School District No. 6 are hereby dissolved.

(2) On the dissolution referred to in subsection (1),

- (a) subject to section 10, all assets, liabilities, rights and obligations of The Board of Trustees of The St. Albert Protestant Separate School District No. 6 are transferred to and become the assets, liabilities, rights and obligations of The Board of Trustees of The St. Albert Public School District No. 5565,
- (b) all employees of The Board of Trustees of The St. Albert Protestant Separate School District No. 6 become employees of The Board of Trustees of The St. Albert Public School District No. 5565, and
- (c) all collective agreements entered into by The Board of Trustees of The St. Albert Protestant Separate School District No. 6 that are in effect on the date of the coming into force of this section are deemed to have been entered into by The Board of Trustees of The St. Albert Public School District No. 5565, and remain in effect according to their terms.

Establishment of Greater St. Albert School District

5 The Greater St. Albert School District No. 5566 is hereby established containing the land contained in The St. Albert School District No. 3, The Legal School District No. 1738 and The

Thibault Roman Catholic Public School District No. 35
immediately before those school districts were dissolved.

**Establishment of Greater St. Albert Roman
Catholic Separate School District**

6(1) The Greater St. Albert Roman Catholic Separate School District No. 734 is hereby established containing the land contained in The Greater St. Albert School District No. 5566.

(2) The land contained in The Guibault Roman Catholic Separate School District No. 552, The Cardiff Roman Catholic Separate School District No. 684 and The Cunningham Roman Catholic Separate School District No. 704 is added to The Greater St. Albert Roman Catholic Separate School District No. 734.

(3) A board for The Greater St. Albert Roman Catholic Separate School District No. 734 is hereby established, and the members of the board are a corporation under the name of “The Board of Trustees of The Greater St. Albert Roman Catholic Separate School District No. 734”.

(4) Subject to section 82 of the *School Act*, the trustees of The Board of Trustees of The Greater St. Albert Catholic Regional Division No. 29 immediately before its dissolution under section 7 are the trustees of The Board of Trustees of The Greater St. Albert Roman Catholic Separate School District No. 734, who shall hold office until the first organizational meeting of the board held after the first general election following the coming into force of this section.

Dissolution of Regional Division and Districts

7(1) The Greater St. Albert Catholic Regional Division No. 29 and The Board of Trustees of The Greater St. Albert Catholic Regional Division No. 29, The Guibault Roman Catholic Separate School District No. 552, The Cardiff Roman Catholic Separate School District No. 684 and The Cunningham Roman Catholic Separate School District No. 704 are hereby dissolved.

(2) On the dissolution referred to in subsection (1),

(a) subject to section 10,

- (i) all assets, liabilities, rights and obligations of The Board of Trustees of The Greater St. Albert Catholic Regional Division No. 29, and
- (ii) all assets, liabilities, rights and obligations of The Cardiff Roman Catholic Separate School District No. 684 and The Cunningham Roman Catholic Separate School District No. 704,

are transferred to and become the assets, liabilities, rights and obligations of The Board of Trustees of The Greater St. Albert Roman Catholic Separate School District No. 734,

- (b) all employees of The Board of Trustees of The Greater St. Albert Catholic Regional Division No. 29 become employees of The Board of Trustees of The Greater St. Albert Roman Catholic Separate School District No. 734, and
- (c) all collective agreements entered into by The Board of Trustees of The Greater St. Albert Catholic Regional Division No. 29 that are in effect on the date of the coming into force of this section are deemed to have been entered into by The Board of Trustees of The Greater St. Albert Roman Catholic Separate School District No. 734, and remain in effect according to their terms.

Land added to Sturgeon School Division

8(1) The land contained in The Legal School District No. 1738 immediately before that school district was dissolved is added to The Sturgeon School Division No. 24 for public school purposes, and forms part of Ward 2 — The Bon Accord Ward of The Sturgeon School Division No. 24.

(2) The land contained in The Thibault Roman Catholic Public School District No. 35 immediately before that school district was dissolved is added to The Sturgeon School Division No. 24 for public school purposes, and forms part of Ward 6 — The Namao Ward of The Sturgeon School Division No. 24.

Notice of assessability

9(1) A notice given to the City of St. Albert under section 156 of the *School Act* that property is assessable for separate school

purposes is deemed to be a notice that the property is assessable for public school purposes.

(2) A notice given to the City of St. Albert under section 156 of the *School Act* that property is assessable for public school purposes is deemed to be a notice that the property is assessable for separate school purposes.

(3) Subsections (1) and (2) apply only to notices that are in effect on the date of the coming into force of this section.

Adjustment of assets and liabilities

10(1) If the Minister considers it necessary to do so, the Minister may, by order, adjust the assets or liabilities of any board affected by this Act.

(2) Any order made under subsection (1) must be published in The Alberta Gazette.

No liability

11 No liability attaches to the Crown or the Minister, and no action or proceedings may be brought against the Crown or the Minister, as a result of anything done or omitted to be done under this Act.

Regulations

12(1) The Lieutenant Governor in Council may make regulations

- (a) respecting the application of the *School Act* to the districts and boards established under this Act;
- (b) for any matter that the Minister considers to be unforeseen, not provided for or insufficiently provided for in this Act.

(2) A regulation made under subsection (1)(b) is repealed on the earliest of

- (a) the coming into force of an amendment that adds the matter to this Act;
- (b) the coming into force of a regulation that repeals the regulation made under subsection (1)(b);

(c) 2 years after the regulation comes into force.

(3) The repeal of a regulation under subsection (2)(b) or (c) does not affect anything done, incurred or acquired under the authority of the regulation before the repeal of the regulation.

(4) A regulation shall not be made under subsection (1)(b) after the expiration of 5 years from the day that this section comes into force, but any regulation made under subsection (1) that is in force on the expiration of that 5-year period remains in force until it is repealed under subsection (2).

(5) A regulation shall not be made under subsection (1)(b) altering the provisions of subsection (2) or extending the 5-year period provided for in subsection (4).

Coming into force

13 This Act comes into force on Proclamation.

RECORD OF DEBATE

Stage	Date	Member	From	To

		Questions and Comments	From	To

Stage	Date	Member	From	To

		Questions and Comments	From	To

Stage	Date	Member	From	To

		Questions and Comments	From	To

Stage	Date	Member	From	To

		Questions and Comments	From	To