

BILL

No. 19 of 1918.

An Act to amend The School Ordinance, The School Assessment Ordinance, The School Grants Act, and The School Attendance Act.

(Assented to , 1918.)

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

1. *The School Ordinance* is amended as follows:

1. Section 2: By adding thereto the following clause:

“(17) The expression ‘Ungraded School’ shall mean the school of a district employing only one teacher.”

2. Section 40a: By repealing the section and substituting therefor the following:

“40a. The Minister may authorize a vote of the resident ratepayers of each of any two or more contiguous districts or of each of any two or more contiguous districts and any portion or portions of any other contiguous district or districts to be taken as nearly as may be as provided in sections 14 to 22 inclusive of this Ordinance for holding a first school meeting for the purpose of ascertaining whether or not the majority of such resident ratepayers are in favour of the union of such districts, or of such districts and such portion or portions of another district or districts as aforesaid into a consolidated school district; provided, however, that if only a portion of any school district is included within the area in which said vote is authorized to be taken the Minister may appoint some person to post therein the notices prescribed by section 14 of this Ordinance.”

3. Section 40b: By repealing the section and substituting therefor the following:

“40b. Upon the Minister being satisfied that the majority of the resident ratepayers voting in the total area in which said vote is authorized to be taken are in favour of the union of such school districts or of such school districts and a portion or portions of another district or districts as aforesaid, he may, by order, notice of which shall be published in The Official Gazette unite such school districts or such school districts and such portion or portions of another district or districts into a consolidated school district:

“Provided, however, that when it is proposed to include only a portion of any district in the consolidated district the Minister may make such alteration as he may deem fit in the boundaries of such district and require that due provision be made for the apportionment, settlement and adjustment of the assets and liabilities of such district in accordance with the provisions of this Ordinance before issuing the order forming the consolidated district.

“(2) The publication in The Official Gazette of the notice of the order uniting any school districts or any school districts and a portion or portions of any other district or

districts into a consolidated school district shall be final and conclusive evidence that all matters required preliminary to such order have been complied with."

4. Section 40f: By adding thereto the following:

"Provided that the annual meeting for the election of a trustee may be held at a place outside the boundaries of such district but within the limits of the consolidated district."

5. Section 58, subsection 3: By striking out the words "form B" in line one thereof and substituting therefor the words "form B (a) or B (b)".

6. Section 95: By inserting after the word "district" in line two of clause 7 thereof the words "which shall include accommodation for pupils between the ages of six and seven years"; and by adding the following new section as section 95c:

"95c. The board of every town district situated in whole or in part within the limits of any incorporated city shall after the first day of September, 1918, employ at least one medical doctor who is a member of the college of physicians and surgeons of the Province of Alberta to inspect or supervise the inspection of the pupils of each school in the district at least once during each school term under such regulations as may be made by the Department of Education.

"(2) The board of every town district shall have power to provide free medical, dental and surgical treatment for such pupils or classes of pupils as it may determine."

7. Section 109: By striking out the words and figures "does not exceed \$1,200" in the last line of the proviso to subsection 1 thereof and substituting therefor the words and figures "does not exceed \$2,000".

8. Section 116: By inserting before the word "ratepayer" in line one thereof the word "resident".

9. Section 128, subsection 1: By striking out the words "or rates" in the last line thereof and substituting therefor the words "and all property assessable for school purposes".

10. Section 128, subsection 2: By striking out the said subsection and substituting therefor the following:

"(2) Notwithstanding that a majority of the ratepayers voting upon any referred by-law may have voted against the same, the Board of Public Utility Commissioners may, upon the certificate of the chief inspector of schools certifying that further school accommodation or equipment is urgently required for the purpose of maintaining an efficient school or schools in the district, in writing, authorize the board of trustees to borrow the sum or sums of money mentioned in the by-law or a less sum."

11. Section 128, subsection 3: By striking out the said subsection and substituting therefor the following:

"(3) Debentures shall not run for a longer term than thirty years if the school buildings are built of brick, concrete or stone, nor for a longer period than twenty years if built of frame or brick veneer, or ten years if built of log:

"Provided that in the event of the first instalment of principal and interest of any debenture being made payable at any time after one year from the date of the debenture as provided by section 10 of chapter 27 of the Ordinances of 1903 (Second Session), such debentures may run for

such longer term than thirty, twenty or ten years, as the case may be, as may be necessary to allow of repayment in thirty, twenty or ten years as the case may be, from the date of the payment of the first instalment of principal and interest;

“Provided further that in the case of town or consolidated districts the debentures thereof may be made to run for a term not exceeding forty years if the school buildings are of solid brick, concrete or stone;

“Provided further that in the case of a town or consolidated district debentures issued for the purpose of purchasing a school site or sites may be made to run for a period not exceeding forty years;

“Provided further that in the case of a school district within which an incorporated city is in whole or in part situated, debentures for school buildings or school sites may be made to run for a term not exceeding fifty years if the school buildings are of solid brick, concrete or stone.”

12. Section 130: By striking out the words “to the extent of the revenues of the district issuing the same” in lines eleven and twelve of subsection 1 thereof.

13. Section 131: By repealing this section and substituting therefor the following new section:

“**131.** No fees shall be charged by the board of any district on account of the attendance at its school of any child whose parent or lawful guardian is a resident of the district, saving and excepting as hereinafter provided.

“(2) The board of any district may charge for pupils under Grade IX as classified by the regulations of the Department of Education a fee of twenty cents per day per pupil in attendance at its school if the parent or lawful guardian of such pupil is not a resident of the district, said fees to be payable monthly at the end of every month; provided, however, that the total amount payable by any parent or guardian on account of such fees shall not exceed the sum of \$12 per year, and provided also that if such parent or guardian is a taxpayer of the district he shall not be required to pay fees unless the amount of taxes paid or payable by him for the previous year is less than \$12, in which case he shall be required to pay the difference between the said sum of \$12 and the amount of his taxes as aforesaid; provided further that if the school of the district in which such parent or guardian resides is closed during any portion of the school year without the consent of the Minister no fees shall be charged the parent or guardian of such child during the time the school of such district is so closed, but the board of the district at whose school such child is in attendance may charge the district whose school is so closed a fee of twenty cents per day per pupil for each day of attendance, said fees to be payable at the end of the calendar year upon account being rendered by the board without any deduction for the amount of taxes paid or payable as aforesaid by any parent or guardian.

“(3) Where the board of any district maintains one or more rooms exclusively for the instruction of pupils in grades above the eighth as classified by the regulations of the Department of Education, a fee may be charged for pupils in Grades IX. to XI. inclusive not exceeding ten cents per day per pupil for each day in attendance of such pupils whose parent or guardian resides in another district not maintaining a room or rooms exclusively for such

instruction, such fees to be payable by the district in which such parent or guardian resides at the end of the calendar year upon account being rendered by the board.

“(4) Any district maintaining a technical school, or special classes in technical, commercial, art, or other higher training may charge such fees from time to time for either day or night classes as shall be approved by the Minister.

“(5) In the event of any dispute as to the amount due for fees to one district by another district or by any parent or guardian under subsections 2, 3 and 4 above the same shall be referred to the chief inspector of schools, whose decision shall be final.”

14. Section 155: By striking out the words “notwithstanding anything herein contained” after the third proviso to subsection 1 of this section, and substituting therefor the words “subject to the provisions of this Ordinance”.

By adding immediately after subsection 2 the following new subsection:

“(3) Notwithstanding anything in any agreement to the contrary, every teacher in an ungraded school shall be entitled to receive a minimum salary of \$70 per month or \$840 per year; provided, however, that upon an inspector of schools certifying, after investigation, that in his opinion it would be a hardship on the district to pay such salary, the Minister may authorize a less salary to be paid.”

15. Section 162: By repealing the second proviso thereto and substituting therefor the following:

“Provided further that the board may require from such parent or guardian or the district in which such parent or guardian resides the payment of school fees as provided in section 131 of this Ordinance.”

16. Section 163: By repealing this section.

17. Section 165: By striking out the word “five” in line five of subsection 2 thereof and substituting therefor the word “six”.

18. Schedule: By repealing forms A (a), A (b), B (a), B (b), B (c) and B (d) and substituting therefor the following new forms:

“FORM A.

“(Proposed name of district) School District of the Province of Alberta.

“The undersigned severally declare each for himself and herself that he or she is of the full age of twenty-one years, that he or she actually resides within the above-named proposed school district at the time of making this declaration, and either that he or she has so resided therein and has been the owner or occupant of assessable property therein for a period of at least two months immediately prior to this date, or that he or she is the husband, wife, son or daughter of such owner or occupant.

Names	Property owned or occupied, or residence

“Witnesses to above signatures:

.....
Chairman.

.....
Secretary.

“Dated the.....day of.....A.D. 19...

“FORM B.

“(a)

“(This form should be used for resident ratepayers or the husband, wife, son or daughter of a resident ratepayer in any established district not having a revised assessment roll.)

“The.....School District No.....of the Province of Alberta.

“The undersigned severally declare each for himself and herself that he or she is of the full age of twenty-one years, that he or she actually resides within the above named district at this date, and either that he or she has been the owner or occupant of assessable property therein for a period of at least two months prior to this date or that he or she is the husband, wife, son or daughter of such owner or occupant.

Names	Property owned or occupied, or residence

“Witnesses to above signatures:

“.....
Chairman.

“.....
Secretary.

“Dated the.....day of.....A.D. 19....

“(b)

“(This form should be used for resident ratepayers, or the husband, wife, son or daughter of a resident ratepayer in any district that has a revised assessment roll.)

“The.....School District No.....of the Province of Alberta.

“The undersigned severally declare each for himself and herself that he or she is of the full age of twenty-one years, that he or she actually resides within the above named district at the date hereof, and either that his or her name appears on the last revised assessment roll of the district or that he or she is the husband, wife, son or daughter of a resident ratepayer whose name appears on the last revised assessment roll of the district.

Names	Property owned or occupied, or residence

“Witnesses to above signatures:

“.....
Chairman.

“.....
Secretary.

“Dated the.....day of.....A.D. 19....

“(c)

“(This form should be used for ratepayers or resident ratepayers or the husband, wife, son or daughter of a resident ratepayer of any established district.)

“The.....School District No.....of the Province of Alberta.

“The undersigned severally declare each for himself and herself that he or she is a resident ratepayer or the husband, wife, son or daughter of a resident ratepayer of the above named school district and that he or she is of the full age of twenty-one years.

Names	Property owned or occupied, or residence

“Witnesses to above signatures:

“.....
Chairman.

“.....
Secretary.

“Dated the.....day of.....A.D. 19...”

2. The School Assessment Ordinance is amended as follows:

1. Section 12: By striking out the word “twelve” in line five thereof and substituting therefor the word “sixteen”.

2. Section 42, subsection 3: By striking out the word “eight” in the third line of this subsection and substituting therefor the word “ten”.

3. Section 42, subsection 3: By striking out the word “eight” in the second line of the first proviso thereto and substituting therefor the word “ten”.

By adding to subsection 3 the following proviso:

“Provided further that the provisions of this subsection shall not apply to a district that has been declared a village district for assessment purposes under section 95 of this Ordinance nor to any consolidated district.”

4. Section 95a: By striking out the figures “12” in line seven thereof and substituting therefor the figures “16”.

3. The School Grants Act is amended as follows:

1. Section 3, clause 1, subclause (a): By striking out the words and figures “\$1.10 per day” in line one thereof and substituting therefor the words and figures “90 cents per day”.

2. Section 3, clause 3: By repealing this clause and substituting therefor the following:

“3. (a) To each rural district upon its establishment an initial grant of \$15.00;

“(b) To each rural or village district whose school attains a minimum grading on its efficiency in respect to grounds, buildings, equipment, government and progress a sum not exceeding 15 cents per day for the first four years after that in which it was erected, and thereafter a sum not exceeding _____ cents per day to be paid in proportion to such grading for each day the school is kept

open, and such grading shall be based upon the inspector's report or reports as prescribed by the regulations of the Department;

"(c) To each town district employing not more than thirty teachers a sum not exceeding cents per day, and to each town district employing more than thirty teachers a sum not exceeding cents per day for each day school is kept open to be paid in proportion to grading as based upon the inspector's report or reports as provided in subclause (b) above:

"Provided, however, that the Department may in lieu of such sums as are provided for in subclauses (a), (b) and (c) above or any portion thereof supply to each such districts for its school library or libraries books of equal value selected from the list authorized by the Department of Education for library purposes."

3. Section 3: By adding after clause 7 thereof the following new clause:

"8. To each district in addition to the amounts provided in clauses 4 and 5 above the sum of cents per pupil per day in attendance for each pupil in grades above the eighth as classified by the regulations of the Department of Education whose parent or lawful guardian does not reside in the district."

4. Section 7: By repealing this section.

5. Section 8: By adding thereto the following: "and such other returns as may be required by the Minister; provided that from and after the first day of January, 1919, all grants made under this Act may be paid at the end of the calendar year."

6. Section 14: By adding thereto the following: "and the Minister shall have the authority to order the payment of a special grant to any school district upon an inspector of schools certifying to the fact that owing to the conditions prevailing it would be impossible for the district to operate a school without such special grant."

7. Section 16: By adding the following new section in place of section 16, repealed 1915, chapter 10, section 4:

"16. The Minister shall have authority to cancel the grant or any portion thereof payable to any district that fails to comply with the provisions of this Act, *The School Ordinance*, *The School Assessment Ordinance* or *The School Attendance Act* or any of the regulations of the Department of Education."

8. Section 17: By repealing this section.

4. *The School Attendance Act* is amended as follows:

1. Section 5, clause (c): By adding thereto the following: "Provided that nothing herein contained shall relieve the parent or guardian from any penalty under this Act if the district in which the child resides, though not operating its school, has entered into an agreement for the conveyance of its children to the school of another district in accordance with the provisions of *The School Ordinance* unless the child resides more than one mile from the regular conveyance route."

2. Section 5, clause (e): By striking out this clause and substituting therefor the following:

"(e) The child has passed the Grade VIII. examination prescribed by the Department of Education or has completed a course which gives him an equivalent standing and the district in which the child resides does not provide instruction in its school or schools for pupils above Grade VIII. as classified by the regulations of the Department of Education."

3. Section 6: By inserting after the word "magistrate" in line two and line six of subsection 2 thereof the words "Commissioner of the Juvenile Court".

4. Section 8: By striking out all the words after "residence" in line four of subsection 3 thereof and substituting therefor the following: "and the production of an affidavit in the form provided in schedule B hereto of the person posting the said letter to which are attached and marked as exhibits the registration receipt from the post office where the said letter was registered and a copy of said notice shall be *prima facie* evidence that such notice was duly received by the party to whom the same was addressed within four days after the posting and registration of the same."

5. Section 14: By adding thereto the following:

"Provided, however, that it shall not be necessary that the attendance officer who gives or serves the notice in writing prescribed in section 8 hereof shall be the same person as the one who lays the information before the magistrate and the following shall constitute *prima facie* evidence of an offence under subsection 1 of section 9 hereof; filing with the magistrate the affidavit prescribed in subsection 3 of section 8 hereof and the production of the school register the entries in which show the absence from school of the child on the days specified in the information."

6. Schedule A: By repealing same and substituting therefor the following:

"SCHEDULE A.

"To (*name and address of parent or guardian*):

"Take notice that unless within five days from the receipt by you of this notice you cause your child (*or ward (child's or ward's name to be inserted here)*) to attend school you will be liable to prosecution under *The School Attendance Act* of the Province of Alberta, 1916, chapter 9.

".....
Attendance Officer."

7. By adding thereto immediately after schedule A the following:

"SCHEDULE B.

"CANADA
"PROVINCE OF ALBERTA
"To Wit: { I, (*fill in name*)
of.....in the Province
of Alberta, (*occupation*), make
oath and say:

"1. I did on..... the.....day of....., 19. ., deposit in the post office at....., in the Province of Alberta, a fully prepaid registered letter addressed to (*insert name of parent or guardian*) containing a true copy of the notice hereto attached and now shown to me and marked 'Exhibit A' to this my affidavit.

"2. That hereto attached and now shown to me and marked 'Exhibit B' to this my affidavit is the receipt of the postmaster at.....for the said registered letter.

"Sworn before me at..... }
in the Province of Alberta, }
this... day of....., }
A.D. 19.. }

.....
"A Notary Public, A Commissioner or
a Justice of the Peace in and for
the Province of Alberta."

No. 19.

FIRST SESSION
FOURTH LEGISLATURE
8 GEORGE V
1918

BILL

An Act to amend The School Ordinance, The School Assessment Ordinance, The School Grants Act, and The School Attendance Act.

Received and read the

First time

Second time

Third time

HON. MR. BOYLE.

EDMONTON:
J. W. JEFFERY, KING'S PRINTER
A.D. 1918