

BILL

No. 76 of 1921.

An Act to amend The School Ordinance.

(Assented to , 1921.)

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. By adding after section 40*w* thereof the following new sections:

“SECONDARY CONSOLIDATED SCHOOLS.

“40*x*. Two or more adjoining school districts may consolidate in the manner hereinafter provided by the formation of a new district for the purpose of establishing and maintaining therein a school or schools for the education of pupils who have completed the work of Grade VII or Grade VIII of the Public School Course as classified by the regulations of the Department of Education, and a district so formed shall be known as a secondary consolidated school district.

“40*y*. The provisions of this Ordinance relating to the formation and establishment of a consolidated school district shall, *mutatis mutandis*, apply to the formation and establishment of a secondary consolidated school district except as otherwise herein provided.

“(2) If rural districts only are included within the proposed secondary consolidated school district, then upon the approval of the boundaries thereof, and upon the presentation of a petition in the form prescribed signed by at least 25 per cent. of the resident ratepayers of each district therein, the Minister may authorize a vote to be taken of the resident ratepayers of the total area included within the proposed secondary consolidated district on the question of consolidation as nearly as may be in accordance with the provision of sections 40*c* and 40*d* hereof.

“(3) If there is a village or town district together with one or more rural districts within the proposed secondary consolidated school district, then upon the approval of the boundaries thereof and upon the presentation of a petition in the form prescribed signed by at least 25 per cent. of the resident ratepayers of each district therein, the Minister may authorize a vote to be taken of the resident ratepayers of the area comprising the said rural district or districts

on the question of consolidation as nearly as may be in accordance with the provisions of sections 40c and 40d hereof.

“If the majority of the votes cast in the area comprising the said rural district or districts be in favour of consolidation the Minister may thereupon direct the board of such village or town district to pass a resolution approving or disapproving of the proposed consolidation, and thereafter the procedure in respect to such resolution, and a demand for a vote on the question of consolidation, and the taking of the vote, if demanded, in such village or town district shall be the same as nearly as may be as provided in subsections 2 to 6 inclusive of section 40e hereof.

“(4) If there are two or more village or town districts together with one or more rural districts in the proposed secondary consolidated school district, then upon the approval of the boundaries thereof and upon the presentation of a petition in the form prescribed signed by at least 25 per cent. of the resident ratepayers of each district therein, the Minister may authorize a vote to be taken of the resident ratepayers of the area included in the said rural district or districts on the question of consolidation as nearly as may be in accordance with the provisions of sections 40c and 40d hereof.

“If a majority of the votes cast in the total area included in the said rural district or districts be in favour of consolidation the Minister may then direct the board of each village or town district within the proposed secondary consolidated district to cause a vote to be taken on the question of consolidation and said vote shall be taken in each of such village or town districts as nearly as may be in accordance with the provisions of subsection 6 of section 40e hereof.

“(5) If the proposed secondary consolidated school district contains village or town districts only, then upon the approval of the boundaries thereof and upon the presentation of a petition in the form prescribed signed by at least 25 per cent. of the resident ratepayers of each of such districts, the Minister may direct the board of each of such districts to cause a vote to be taken on the question of consolidation, and said vote shall be taken in each of such districts as nearly as may be in accordance with the provisions of subsection 6 of section 40e hereof.

(6) Any district which has been declared a village district under the provisions of section 95 of *The School Assessment Ordinance* for the purposes of assessment and taxation may be deemed a village district for the purposes of sections 40x to 40z inclusive of this Ordinance, if the Minister so decides, and the decision of the Minister as to whether such district shall be deemed a village district under this subsection shall be final.

"40z. Upon being satisfied that all the requirements with reference to taking the vote have been substantially complied with, if a majority of the votes cast in the total area of the proposed secondary consolidated district have been in favour of consolidation when there is no town or village district therein; or if there is a town or village district in the proposed secondary consolidated district and a majority of the votes cast in the remaining area have been in favour of consolidation, and the board of such town or village district has by resolution as provided in subsection 2 of section 40e hereof approved of the proposed consolidation, or in the event of a vote in such town or village district having been demanded, and a majority of the votes cast are in favour of consolidation; or if there are two or more village or town districts either with or without one or more rural districts in the proposed secondary consolidated district and a majority of the votes cast in each of such village or town districts as well as in the area comprising the rural district or districts (if any) are in favour of consolidation, then the Minister may by order, notice of which shall be published in the official gazette, erect such school districts as are included within the boundaries of the proposed consolidation into a secondary consolidated school district.

"40aa. Every secondary consolidated school district formed as hereinbefore provided shall be entitled 'The Secondary Consolidated School District No. of the Province of Alberta,' and shall be given such name as the Minister shall designate in the order forming the same. Such secondary consolidated school districts shall be numbered consecutively, the first of such districts to be established to be assigned the number 1, and the Minister shall have power to change the name of any secondary consolidated school district in accordance with the provisions of section 35 hereof.

"40ab. After the erection of a secondary consolidated school district the Minister shall have the power to alter the boundaries thereof by adding to or taking from the area of any district which forms a part of the secondary consolidated school district.

"40ac. The Minister may authorize notices to be posted and a vote to be taken in any district as nearly as may be in accordance with the provisions of sections 40c and 40d hereof if such district is a rural district, or in accordance with the provisions of subsection 6 of section 40e hereof if such district is a village or town district, for the purpose of ascertaining if the majority of the resident ratepayers thereof are in favour of the union of such district with an adjacent secondary consolidated district. If a majority of all the votes cast have been in favour of such union or consolidation, and if the same has been approved by the board of the secondary consolidated district then the

Minister may by order, notice of which shall be published in the official gazette, unite such district with the secondary consolidated district.

"40ad. The publication in the official gazette of the notice of the order erecting any school districts into a secondary consolidated school district or uniting any district or districts with an existing secondary consolidated school district or altering the boundaries of a secondary consolidated district by adding to or taking from the area of any district which forms a part of the secondary consolidated district shall be final and conclusive evidence that all matters required preliminary to such order have been complied with.

"40ae. The board of trustees of a secondary consolidated school district shall consist of one trustee for each district in the secondary consolidated school district, except for a district therein containing a town, for which there shall be two trustees.

"Within fifteen (15) days after the erection of a secondary consolidated school district the board of trustees of each rural and village district therein shall appoint one of their number, and the board of trustees of each town district therein shall appoint two of their number to represent such district or districts on the board of trustees of the secondary consolidated district, and the trustees so appointed shall constitute the board of the secondary consolidated district and shall hold office during their terms of office as trustees of the districts respectively represented by them, and shall within ten (10) days after the appointment of the last of them as aforesaid as trustees of the secondary consolidated district take the declaration of office and meet to organize the board in accordance with the provisions of this Ordinance, and to transact such other business as may be necessary.

"Whenever a vacancy shall occur in the board of trustees of a secondary consolidated school district it shall be filled as above provided.

"(2) Upon the union of any district with a secondary consolidated school district in accordance with section 40ac hereof the board of trustees of such district uniting with the secondary consolidated district shall forthwith appoint one of their number to represent such district on the board of trustees of the secondary consolidated district, and upon taking the declaration required by this Ordinance such trustee shall become a member of the board of the secondary consolidated district.

"40af. In the event of a secondary consolidated school district being formed by the union of only two districts neither of which contains a town the two trustees appointed by the boards of such districts as trustees of the secondary consolidated school district, after taking the oath of office, shall forthwith under their hand appoint an additional

trustee who shall hold office until the next annual meeting and henceforth after the completion of all other business at the annual meeting the two trustees shall in like manner select an additional trustee, and in the event of the two trustees appointed by the boards of their own districts being unable to agree as to the selection of an additional trustee as aforesaid such trustee shall be appointed by the Minister.

"40ag. An annual meeting of the ratepayers of a secondary consolidated school district shall be held not later than the twentieth day of January in each year commencing at two o'clock in the afternoon, standard time, and the business thereat transacted as nearly as may be in accordance with the provisions of this Ordinance respecting the annual meetings of consolidated school districts, except that no trustees shall be elected at such meeting.

"40ah. The trustees of every secondary consolidated school district shall be a corporation under the name of 'The Board of Trustees of Secondary Consolidated School District of the Province of Alberta,' and shall have the same powers and duties as are conferred and imposed by this Ordinance upon the trustees of consolidated school districts, except that provision shall be made by such board for the education only of pupils who have completed the work of Grade VII or Grade VIII of the Public School Course as classified by the regulations of the Department of Education, and except as otherwise in this Ordinance provided.

"40ai. The board of trustees of every secondary consolidated school district shall cause to be apportioned annually among the school districts included in such district the amount required for school purposes during the current year as provided in *The School Assessment Ordinance*.

"40aj. The provisions of this Ordinance respecting the conveyance of pupils shall not apply to a secondary consolidated school district."

2. Section 61: By repealing this section, and substituting therefor the following new section:

"61. As soon as the other business of the district has been transacted or one hour after the opening of the meeting, if the other business be not then concluded, the chairman shall call for nominations for the office of trustee."

3. Section 95, clause 17: By striking out the words "and may be in the form prescribed by the Minister" in lines four and five thereof, and substituting therefor the words "and shall conform to the provisions of section 151 of this Ordinance."

4. Section 95a: By adding thereto the following as clause (8).

“(8) To pay the expenses of any members of the board or of any officials or employees thereof incurred in attending any convention of school trustees or any other educational convention or conference.”

5. Section 106b: By inserting after the words “town district” in line one thereof the words “secondary consolidated district.”

6. Section 108, subsection 3: By inserting after the word “district” in line one thereof the words “or in the case of a secondary consolidated school district containing a town.”

7. Section 109, subsection 1: By inserting after the words “town district” in line five thereof the words “consolidated district, or secondary consolidated district.”

8. Section 128, subsection 3: By inserting after the word “consolidated” in line one of the second proviso thereof the words “or secondary consolidated,” and by inserting after the word “consolidated” in line one of the third proviso thereof the words “or secondary consolidated.”

9. Section 151: By striking out all the words after “parties” in line three thereof, and substituting therefor the following: “provided always that such alterations or amendments shall be subject to the approval of the Minister.”

10. By inserting immediately after section 151 the following new section as section 151a:

“BOARD OF CONCILIATION.

“151a. (1) Whenever it is made to appear to the Minister that any disagreement or dispute between any board of trustees and their teacher or teachers has arisen or may arise, where such disagreement or dispute in the opinion of the Minister relates to the proper carrying out of the contract entered into between the board of trustees and such teacher or teachers, the Minister may appoint a board which shall be known as a ‘Board of Conciliation’ to inquire into and investigate any such disagreement or dispute, and to make such report thereon as is just and reasonable, and in the conduct of such investigation said board may take evidence under oath or upon affirmation.

“Provided, however, that no board of conciliation shall have power to intervene in connection with negotiations between any teacher and a school board with respect to any new contract or any extension or amendment or renewal of any contract already in existence.”

“(2) Every such board of conciliation shall consist of three members, one representing the school trustees of the province, one representing the school teachers of the province, and the chairman of the board who shall be neither trustee nor teacher.

“(3) The members of a board of conciliation shall receive such remuneration as the Lieutenant Governor in Council may determine.”

11. Section 154: By striking out the words “in every three months” in line two thereof, and substituting therefor the words “each month.”

No. 76.

FOURTH SESSION
FOURTH LEGISLATURE
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BILL

An Act to amend The School
Ordinance.

Received and read the

First time

Second time

Third time

HON. MR. SMITH.

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