

# BILL

No. 52 of 1926.

An Act to amend The School Act.

(Assented to \_\_\_\_\_, 1926.)

**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 School Act Amendment Act, 1926.*"

**2.** *The School Act*, being chapter 51 of the Revised Statutes of Alberta, 1922, is amended by striking out section 48 thereof and substituting therefor the following:

"48.—(1) In the event of the full number of trustees allocated to any consolidated school district under the provisions of this Act, being an even number, an additional trustee shall be elected at the annual meeting, who shall hold office until the next annual meeting.

"(2) Nominations for the office of additional trustee shall be received by the chairman of the annual meeting during the thirty minutes immediately before the adjournment of that meeting, under the provisions of section 51 of this Act.

"(3) No person shall be nominated unless he is—

"(a) a British subject;

"(b) able to read and write; and

"(c) a resident ratepayer of one of the districts included in the consolidated district.

"(4) The election of the additional trustee shall be carried on at the same time and in the same manner as the election to fill the other vacancies at the annual meeting, except that a separate ballot box and separate ballot papers shall be prepared and used for such election, and the chairman and secretary of the annual meeting shall perform all the duties of the chairman and secretary of the meeting of resident ratepayers of a single district, and those qualified to vote at such election shall be the resident ratepayers of all the districts included in the consolidated district.

"(5) In the case of the office of additional trustee becoming vacant otherwise than by effluxion of time, the election of a trustee to fill such vacancy shall be held only at a special meeting of the resident ratepayers of all the districts included in the consolidated district, called for that purpose, and in the same manner as at the annual meeting:

"Provided that if the office of additional trustee becomes vacant at any time after the first day of December of any year, an election to fill such vacancy may be held at the time and in the manner provided for the election of trustees at the annual meeting of the trustees of the consolidated district."

**3.** Section 50 of the said Act is amended as to subsection (2) thereof by striking out the words "three hours" where they occur in the eighth line, and substituting therefor the words "two hours."

**4.** Section 183 of the said Act is amended—

(a) as to subsection (1) thereof by adding thereto the following proviso:

"Provided that the board of any district may declare Ash Wednesday, the birthday or the day fixed by proclamation for the celebration of the birthday of the reigning sovereign, Labor Day and any other day appointed by proclamation a public holiday for the planting of forest or any other trees, commonly known as Arbor Day, or any of them, to be holidays or a holiday, and no such day shall be a holiday within the meaning of this Act unless the Board has made a declaration to that effect, with regard thereto"; and

(b) by striking out subsection (2) thereof.

**5.** Section 197 of the said Act is hereby struck out and the following substituted therefor:

"**197.**—(1) There shall be constituted a board to be known as the Board of Reference, to serve as a board of conciliation or as a board of arbitration, as the case may be; and the said board shall consist of three members to be appointed by the Lieutenant Governor in Council, one member to represent the school trustees of the Province, one to represent the school teachers of the Province, and a third member who shall be neither trustee nor teacher, and who shall act as chairman of the board.

"(2) When any dispute or disagreement arises between a school board and its teacher or teachers, either party to the dispute or disagreement may make application to the Minister to refer such dispute to the Board of Reference.

"(3) All such applications to the Minister shall be accompanied by a full and complete statement of the nature of the complaint or dispute, verified by a statutory declaration on the part of the party or parties making the said application.

"(4) Upon receipt of such application the Minister shall refer the dispute or disagreement in question to the Board of Reference, which shall institute such investigations as may seem to be warranted and necessary, and shall deliver a report of its findings to the Minister, who shall transmit a copy of the same to the several parties to the dispute or disagreement.

"(5) The Board of Reference shall have power also to act as a board of arbitration, upon the request of both parties to any dispute between any board of trustees and its teacher or teachers, and when so acting the Board of Reference may, for the purpose of procuring the attendance of any person as a witness at such arbitration, serve such per-

son with a notice requiring him to attend thereon, which notice shall be served in the same way and have the same effect as a notice requiring the attendance of a witness and the production by him of documents at the hearing or trial of an action, but no such person shall be compelled under any such notice to produce any document which he could not be compelled to produce on the trial of an action, and the award of the board in such cases shall be binding upon both parties and have the same force and effect as an award made under *The Arbitration Act*.

“(6) The Board of Reference shall have power also to deal with such other matters as may be referred to it from time to time, by the Lieutenant Governor in Council.

“(7) The members of the Board of Reference shall receive such remuneration as the Lieutenant Governor in Council may, from time to time, determine.”

**6.** Section 202 of the said Act is amended by striking out paragraph (n) thereof.

**7.** Section 202a is added to the said Act immediately after section 202, as follows:

“**202a.** Every teacher shall have power to suspend from school any pupil guilty of truancy, open opposition to authority, habitual neglect of duty, the use of profane or improper language, or other conduct injurious to the moral tone or well-being of the school and the teacher shall forthwith report in writing the facts of such suspension to the Board, which may take such action with regard thereto as it may deem necessary.”

**8.** This Act shall come into force on.....

No. 52.

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SIXTH SESSION  
FIFTH LEGISLATURE  
16 GEORGE V  
1926

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**BILL**

An Act to amend The School Act.

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Received and read the

First time.....

Second time.....

Third time.....

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HON. MR. BAKER.

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EDMONTON:  
W. D. McLEAN, ACTING KING'S PRINTER  
A.D. 1926.