

Bill No. 23 of 1933.

A BILL TO AMEND THE SCHOOL ACT, 1931.

NOTE.

Section 2 of the Bill provides for the transaction, after the holding of the trustees' election, of any other business not concluded before the election.

Section 3 of the Bill amends the existing provisions as to the number of trustees of a school district by enabling any rural or village school district which maintains not less than eight class rooms by resolution passed at the annual meeting to increase the number of trustees from three to five; and in that event the trustees hold office for a term of two years instead of three.

Section 4 of the Bill extends the disqualifications for election as a trustee to any person.

Section 6 of the Bill provides that no voter shall vote more than once at any election of trustees nor for a greater number of candidates than there are trustees to be elected.

Section 7 prescribes the fees payable for audits.

Section 8 provides that the appointment of an arbitrator as to the amount payable on the compulsory acquisition of land for a school site shall be made by the Board of the district instead of by the Minister.

Section 9 extends the provisions as to contracts for the erection of school buildings to contracts for the purchase of buildings for school purposes.

Section 10 provides that in every school there shall not be less than eight weeks' vacation annually.

Section 11 includes Remembrance Day as a school holiday.

Section 12 empowers a Board, with the consent of the Minister, to close a school for a definite period, and the amendment made by section 13 is consequential upon the last amendment.

Section 14 provides expressly that in giving or withholding his approval to the giving of a notice to terminate a teacher's contract, an inspector may make such enquiries, if any, as he may deem proper, and makes any approval given binding and conclusive and not questionable in any court.

Section 15 provides that the minimum salary for a teacher shall be fifty dollars a month or six hundred dollars a year.

The amendment made by section 16 is consequential upon the amendment made by section 12.

Section 17 makes a minor amendment to the provisions as to school fees chargeable for the tuition of non-resident pupils.

Sections 14 and 15 of the Bill are given a retroactive force.

R. ANDREW SMITH,
Legislative Counsel.

(This note does not form any part of the Bill and is offered merely as a partial explanation of some of its provisions.)

BILL

No. 23 of 1933.

An Act to amend The School Act, 1931.

(Assented to _____, 1933.)

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, 1931, Amendment Act, 1933.*"

2. *The School Act, 1931*, being chapter 32 of the Statutes of Alberta, 1931, is hereby amended as to section 52 thereof by adding at the end thereof the following new subsection:

"(3) If upon the call for nominations being made all the business of the meeting has not been concluded, the meeting shall stand adjourned until the result of the election has been declared and thereupon the transaction of the uncompleted business shall be proceeded with."

3. The said Act is further amended by striking out section 58 thereof and by substituting therefor the following:

58.—(1) Any rural school district or any village school district having in operation not less than eight class rooms may at the annual meeting of the district pass a resolution declaring that thenceforth the Board of Trustees of the district shall consist of five trustees; and thereupon and thereafter the Board of Trustees of the district shall consist of five trustees and at the next election of trustees after the passing of any such resolution as aforesaid there shall be elected two trustees for a term of two years and one trustee for a term of one year, and the two trustees of the district whose term has not expired shall continue to hold office for the terms for which they were respectively elected, and the term of office of all trustees thereafter elected shall be two years.

"(2) In every district other than a consolidated school district, a rural high school district, a town district and other than a rural school district or a village district which has passed a resolution fixing the number of trustees at five, the Board of Trustees shall consist of three trustees, each of whom unless elected at the first school meeting shall hold office for three years."

4. The said Act is further amended as to section 66 thereof by striking out the word "trustee" where the same first occurs in subsection (2) thereof, and by substituting therefor the word "person."

5. The said Act is further amended as to section 68 thereof by striking out subsection (6) thereof.

6. The said Act is further amended by inserting therein, immediately after section 90 thereof, the following new section:

"**90a.**—(1) No voter shall vote more than once at any election, nor for a greater number of candidates than the number of trustees to be elected.

"(2) Every ballot paper which indicates the casting of a number of votes which is greater than the number of trustees to be elected shall be null and void, and shall be ignored by the chairman when he counts the ballots."

7. The said Act is further amended as to section 129 thereof by striking out subsection (5) thereof and by substituting therefor the following:

"(5) Unless it is ordered by the Minister to the contrary, the fees payable in respect of any audit shall not exceed—

"(a) in the case of rural and rural high school districts, the sum of five dollars;

"(b) in the case of village districts or consolidated districts, the sum of ten dollars; and

"(c) in case in the making of an audit of the books and accounts of a consolidated district it is necessary to audit the books and accounts of any district or districts included in the consolidated district, for the audit of the books and accounts of the consolidated district as well as of any district or districts included therein, the sum of fifteen dollars."

8. The said Act is further amended as to section 136 thereof by striking out the words "the Minister" where the same occur in subsection (4) thereof, and by substituting therefor the words "the Board of the district."

9. The said Act is further amended as to section 140 thereof by inserting therein, immediately after the words "and no such contract" where the same occur in subsection (1) thereof, the words "nor any contract for the purchase of any building to be used for school purposes."

10. The said Act is further amended as to section 144 thereof by striking out subsection (1) thereof and by substituting therefor the following:

"(1) In every school there shall be not less than eight weeks' vacation during the year."

11. The said Act is further amended as to section 145 thereof by inserting therein, immediately after the words "Thanksgiving Day," where the same occur in subsection (1) thereof, the words "Remembrance Day."

12. The said Act is further amended by inserting therein, immediately after section 145 thereof, the following new section:

"**145a.** With the consent of the Minister a Board of Trustees may by resolution close a school for a period specified in the resolution."

13. The said Act is further amended as to section 152 thereof by striking out the words "without the approval of the Minister" where the same occur therein.

14. The said Act is further amended as to section 157 thereof by adding at the end thereof the following new subsection:

"(2) An inspector, in determining as to whether or not he will give or withhold his approval to the giving of a notice to a teacher terminating the contract under the provisions of this section, may make such enquiries and investigations (if any) as he may in his sole and uncontrolled discretion deem proper, and any approval given by an inspector shall be binding and conclusive upon all persons affected thereby and shall not be questioned in any proceedings in any court of law or equity for any reason whatsoever."

15. The said Act is further amended as to section 161 thereof by striking out the words "seventy dollars per month or eight hundred and forty dollars per year" where the same occur in subsection (2) thereof, and by substituting therefor the words "fifty dollars per month or six hundred dollars per year."

16. The said Act is further amended as to section 162 thereof by striking out paragraph (a) of subsection (2) thereof and by substituting therefor the following:

"(a) Days during which the school is lawfully in operation under his charge or would be in such operation save for an order of the Board to the contrary not being an order made pursuant to section 145a of this Act."

17. The said Act is further amended as to section 202 thereof by striking out the words "under the written authority of an inspector of schools" where the same occur in the third proviso to subsection (3) thereof, and by adding thereto the following new proviso:

"Provided further that instruction in all or any of these grades shall not be deemed to be available to a pupil in a

district which maintains only one room in operation unless the Board obtains from an inspector his authorization in writing to give such instruction in its school.”

18. This Act shall come into force on the day upon which it is assented to and upon so coming into force sections 14 and 15 of this Act shall be deemed to have been in force at all times from and after the first day of July, 1931.

THIRD SESSION
SEVENTH LEGISLATURE
23 GEORGE V
1933

B I L L

An Act to amend The School Act,
1931.

Received and read the

First time.....

Second time

Third time

HON. MR. BAKER

EDMONTON:
W. D. McLEAN, KING'S PRINTER
1933