

BILL

No. 55 of 1936.

An Act to amend The Teaching Profession Act, 1935.

(Assented to _____, 1936.)

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 Teaching Profession Act, 1935, Amendment Act, 1936.*"

2. *The Teaching Profession Act, 1935*, being chapter 81 of the Statutes of Alberta, 1935, is hereby amended by inserting therein, immediately after section 1 thereof, the following new section:

- "**1a.** In this Act, unless the context otherwise requires,—
- "(a) 'Association' shall mean the Alberta Teachers' Association;
 - "(b) 'Member' shall mean a member in good standing of the Association;
 - "(c) 'Executive Council' shall mean the Executive Council of the Association;
 - "(d) 'Minister' shall mean the Minister of Education of the Province of Alberta;
 - "(e) 'Department' shall mean the Department of Education of the Province of Alberta;
 - "(f) 'Teacher' shall mean a person holding a valid certificate of the Minister;
 - "(g) 'Secretary' shall mean Secretary, Secretary-Treasurer or the General Secretary-Treasurer of the Association."

3. The said Act is further amended as to section 4 thereof,—

- (a) in subsection (1) by striking out the words "shall be eligible for membership in the Association" appearing after the words "Department of Education of the Province of Alberta", and substituting therefor the words "shall, as a condition of their employment, be members of the Association".
- (b) by adding the following proviso to subsection (1) aforesaid:

"Provided that when a teacher enters upon any contract of engagement with the board of trustees of any school district in the Province of Alberta, he shall give notice forthwith in writing to the Secretary of the Association of the date of his proposed employment and the remuneration agreed upon, and in such case the board of trustees may

employ the teacher unless and until the Association notifies them in writing that the teacher is not a member."

(c) by adding the following new subsection:

"(4) A member who is not the holder of a valid, permanent certificate of the Minister and who has had less than two years' experience in teaching, shall be known as an Associate Member with the same rights, privileges and benefits and subject to the same limitations and restrictions as other members;

"Provided, however, that an Associate Member shall not be eligible for election as a member of the Executive Council nor for election or appointment as a member of any committee or board of the Association dealing with discipline, training or certification of teachers or with courses of study for schools operating under the jurisdiction of the Department."

4. The said Act is further amended as to section 6 thereof,—

(a) by inserting therein the following new clause in subsection (1) immediately following clause (e):
 "(ee) discipline, including the suspension and expulsion of members.";

(b) in subsection (3) by inserting the words "relating to discipline" immediately following the words "No such by-laws or amendments or repeal thereto".

5. The said Act is further amended as to section 10 thereof,—

(a) in subsection (1) by striking out the words "on the written authorization of any teacher employed by them may", appearing after the words "are hereby empowered and", and substituting therefor the word "shall";

(b) in subsection (2) by striking out the word "may" after the words "is hereby empowered and", and substituting therefor the word "shall";

(c) by adding the following proviso to subsection (2):
 "Provided, however, that any school district, with the consent of the Minister, obtained on request in writing of the Secretary, may pay the fees of members employed by them direct to the Association."

6. The said Act is further amended by adding thereto, immediately after section 11 thereof, the following new sections:

"TEACHING PROFESSION APPEAL BOARD.

"11a.—(1) There shall be constituted a board to be known as the Teaching Profession Appeal Board consisting of three members, one of whom shall be appointed by the Executive Council and two by the Lieutenant Governor in Council.

"(2) It shall be the duty of the Teaching Profession Appeal Board, and it shall have power,—

- “(a) to appoint a chairman and secretary;
- “(b) to serve as a board of appeal in case of suspension or expulsion or other disciplining of members of the Association, or to investigate on the order of the Minister cases involving suspension or cancellation of teachers' certificates.

“11b. In the event of any teacher being suspended or expelled from membership in the Association, or otherwise disciplined by the Executive Council such teacher shall be entitled to appeal to the Teaching Profession Appeal Board and in case the said Board confirms such decision of the Executive Council, the Association may advise the Minister to suspend or cancel the certificate of such teacher.

“11c. No action shall be brought against the Executive Council or any committee or any member thereof, with respect to any proceedings or orders made or enforced under the disciplinary provisions of this Act or the by-laws relating to discipline.”

7. This Act shall come into force on the day upon which it is assented to.

No. 55.

FIRST SESSION
EIGHTH LEGISLATURE
1 EDWARD VIII
1936

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An Act to amend The Teaching Profession Act, 1935.

Received and read the

First time

Second time

Third time.....

MR. LOW.

EDMONTON:
A. Shnitka, King's Printer
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