

Bill No. 34 of 1937.

A BILL TO AMEND THE SCHOOL ACT, 1931.

---

NOTE.

Section 2 amends the definition of "Board" to include the board of a division, and amends the definition of "Elector" by requiring him to be a British subject.

The amendment made by section 3 provides that the poll for and against the establishment of a school district shall be by ballot, and strikes out subsection (2) as being superfluous.

Section 4 makes an additional provision that upon the taking of a poll the secretary shall act as poll clerk.

By section 5 the board is empowered to make contributions to musical festivals as well as to school fairs.

The amendments made by sections 6, 7 and 8, are designed to make the provisions of the amended sections applicable to school divisions.

Section 9 makes amendments of a minor nature for the purpose of clarification to section 140.

Section 10 provides that where notice to terminate an agreement is given by the board to take effect in July, the same may be in Form H. in the schedule.

Section 11 provides for the signing of contracts by the teacher and by the chairman or by any member of the board duly authorized to sign the same.

Section 12 includes days during which a teacher is attending a musical festival as teaching days.

Section 13 amends the provisions with regard to the fees for attendance of non-resident pupils.

Section 14 makes the provisions of *The Public Authorities' Protection Act* extend to school districts, boards of trustees, boards of every division and their officers and teachers.

Sections 15 and 16 extend the time for protesting trustee elections in consolidated and rural school districts from twenty to thirty days.

Sections 17 to 42 inclusive of the Bill relate to school divisions:

## II.

Section 17 provides for the appointment of delegates for a school district the management of whose affairs is in the hands of an official trustee.

Section 18 makes new provision for meetings of delegates of subdivisions.

Section 20 makes new provision as to the procedure to be followed at meetings of delegates of subdivisions and the election of divisional trustee for the subdivision.

Section 23 makes new provisions as to the proceedings upon the close of a poll held for the election of a divisional trustee.

Section 24 makes new provision for the oath of office to be taken by a divisional trustee.

Section 26 makes provision for filling vacancies in the membership of a divisional board.

Section 27 is a re-statement as to the rights of a school district to its excess assets in such a way as to enable the divisional board to make use of those assets for the purposes of the division until the same are required for the purposes of the school district.

Section 28 permits the board of trustees in any school district included in a division to require the board to make provision for the payment of expenses incidental to the membership of trustees of a district in the Alberta Trustees Association at the cost of the district.

Section 29 sets out the contracts which the members of a divisional board are not permitted to enter into with the board.

Section 30 is a re-statement for the purpose of clarification of the existing provisions of section 253.

Section 31 provides that where a village is incorporated in any school division after the constitution of the division, such incorporation shall not affect any school district within which the newly constituted village is situated either wholly or in part, and shall not have the effect of removing such school district from the division.

Sections 32 and 33 alter the date for making the certificate therein mentioned, and require that the certificate shall set forth the total gross value of all property liable to assessment within a school district included in a division and which is situate in a municipal district or improvement district as the case may be.

The effect of sections 35 and 36 is to make the section applicable to any city, town, village or municipal district.

Section 37 makes provision for the collection by cities, towns, villages, municipal and improvement districts, of arrears of school taxes.

### III.

Section 38 supplements the provisions of section 263 by making express provision for the levy and collection of school taxes in improvement districts, municipal districts and cities, towns and villages.

Section 39 places a duty on the secretary of the board to furnish the secretary-treasurer of every municipality and the Minister of Municipal Affairs in respect of improvement districts, the last revised assessment roll or a true copy thereof, of every school district in a municipal district or an improvement district as the case may be.

Section 41 sets out the duties of the secretary of a divisional board.

Section 42 makes provision as to the amount of school grants payable to a division during the first year of its operation.

Sections 43, 44 and 45 amend the schedule.

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. 34 of 1937.

An Act to amend The School Act, 1931.

(Assented to \_\_\_\_\_, 1937.)

**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, 1937.*"

**2.** *The School Act of 1931*, being chapter 32 of the Statutes of Alberta, 1931, is hereby amended as to section 2 thereof,—

(a) by striking out paragraph (a) thereof and by substituting therefor the following:

"(a) 'Board' shall mean the board of trustees of any school district and the board of any division constituted pursuant to Part XVII of this Act;"

(b) by striking out the words "in any established district other than a town district, any person of the full age of twenty-one years who is a resident thereof" where the same occur in clause (ii) of paragraph (d) and by substituting therefor the words "in any established district other than a town district, any person of the full age of twenty-one years who is a resident thereof, a British subject";

(c) by striking out the words beginning with the words "Provided always" and ending with the words "who is not a British subject" where the same occur in clause (iii) of paragraph (d); and

(d) by adding after the last word in clause (iii) of paragraph (d) the words "provided that such person is a British subject".

**3.** The said Act is further amended as to section 36 thereof,—

(a) by adding at the end of subsection (1) thereof the words "and such poll shall be taken by ballot."; and

(b) as to subsection (2) thereof by striking out the same.

**4.** The said Act is further amended as to section 37 by striking out the same and by substituting therefor the following:

"**37.** The chairman shall preside over the taking of the poll and the secretary shall act as the poll clerk."

**5.** The said Act is further amended as to section 120 by striking out paragraph (m) thereof and by substituting therefor the following:

“(m) to make a cash contribution towards any school fair or musical festival approved by the Minister;”.

**6.** The said Act is further amended as to section 128 thereof,—

- (a) by striking out the words “village or rural school district” where the same occur in subsection (1) thereof and by substituting therefor the words “school district other than a town district and of every school division”;
- (b) by adding at the end of subsection (2) the words “or school division as the case may be”;
- (c) as to subsection (3) thereof by striking out the words “treasurer of a school district” where the same occur therein and by substituting therefor the words “treasurer of a school district or school division as the case may be”;
- (d) by adding at the end of subsection (4) the words “or school division as the case may be”.

**7.** The said Act is further amended as to section 129 thereof,—

- (a) as to subsection (4) by striking out the words “and consolidated district” where the same occur therein and by substituting therefor the words “consolidated district and school division”;
- (b) as to subsection (5) by adding at the end thereof the following new paragraph:  
“(d) in the case of a school division the sum of forty dollars.”

**8.** The said Act is further amended as to section 135 by adding at the end thereof the following:

“(2) In the case of a school division for the purpose of this section and sections 136 to 138 both inclusive, the expression ‘the Board’ shall mean the divisional board to the exclusion of the boards of the school districts included in the division.”

**9.** The said Act is further amended as to section 140 thereof,—

- (a) by striking out the words “In rural and village school districts” where the same occur in subsection (1) and by substituting therefor the words “In rural, village and consolidated school districts”;
- (b) by striking out the words “of any rural or village school district” where the same occur in subsection (3) and by substituting therefor the words “of any rural, village or consolidated school district”;
- (c) by striking out the words “notwithstanding anything in this section to the contrary” where the same

occur in subsection (3) thereof, and by substituting therefor the words "notwithstanding anything in this Act to the contrary".

**10.** The said Act is further amended as to section 157 by inserting therein immediately after subsection (1) the following new subsection:

"(1a) Where notice to terminate an agreement is given by the Board to take effect in the month of July, the notice may be given in Form H of the Schedule hereto and any notice given in such form shall be a good and sufficient notice to terminate the agreement."

**11.** The said Act is further amended as to section 158 by striking out the same and by substituting therefor the following:

"**158.** The contract shall be signed by the teacher and by the chairman or by any member of the board who is authorized by a resolution of the board to sign the contract on behalf of the board."

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

"(b) Days other than those within a vacation period upon which he is necessarily absent from his school in order to attend any teachers' convention or institute or school fair or musical festival approved by the Minister;"

**13.** The said Act is further amended as to section 202 thereof,—

- (a) as to subsection (3) thereof by striking out the words "Provided further that when only a portion of the instruction which a pupil is receiving" where the same occur therein and by substituting therefor the words "Provided further that when only a portion of the instruction which a pupil is receiving in Grade X or Grade XI (or equivalent commercial or technical courses)";
- (b) as to subsection (7) thereof,—
  - (i) by striking out the word and figures "Grade IX" where the same occur therein; and
  - (ii) by striking out the words "five years" where the same occur therein and by substituting therefor the words "four years"; and
  - (iii) by striking out the words "six years" where the same occur therein and by substituting therefor the words "five years"; and
  - (iv) by striking out the words "fifth or sixth year" where the same occur therein and by substituting therefor the words "fourth or fifth year";
- (c) as to subsection (8) by striking out the figures "IX" where the same occur therein.

**14.** The said Act is further amended by inserting therein immediately after section 224a the following new section:

**"224b.** Every School District and the Board of every School District and of every Division, and the officers and teachers of any such Board, and each of them, shall be deemed to be a public officer for all the purposes of *The Public Authorities' Protection Act.*"

**15.** The said Act is further amended as to section 228 by striking out the words "twenty days" where the same occur in subsection (2) thereof and by substituting therefor the words "thirty days".

**16.** The said Act is further amended as to section 229 by striking out the words "twenty days" where the same occur in subsection (2) thereof and by substituting therefor the words "thirty days".

**17.** The said Act is further amended as to section 232 by adding at the end thereof the following new subsection:

"(5) In any case in which an official trustee has been appointed under section 8 of *The Department of Education Act* for any such school district, the official trustee shall appoint a delegate and if the official trustee is unable to find any resident of the district who is qualified for such appointment, or if for any other reason he finds it impossible to appoint a delegate, the official trustee shall be the delegate to represent the district and for the purpose of determining a quorum at a meeting of delegates he shall be the delegate for each district which he represents and shall have one vote for each such district."

**18.** The said Act is further amended as to section 233 by striking out the same and by substituting therefor the following:

**"233.—**(1) Upon the constitution of a school division meetings of the delegates of each subdivision of a division shall be held upon such days and times and at such places as may be fixed by the order constituting the division, and in every year thereafter, such meetings shall be held at such date not earlier than the first day of December and not later than the second Tuesday in December as may be fixed for that purpose, and at such time and place as may be fixed for that purpose by the divisional board.

"(2) The Secretary of the division shall send to each delegate by mail a notice in writing of the day, time and place of the meeting of the delegates for the subdivision of which he is a delegate, and such notice shall be sent at least five days before the day fixed for the meeting."

**19.** The said Act is further amended as to section 234 by striking out the words "the number of school districts in the division" where the same occur in subsection (1) thereof

and by substituting therefor the words "the number of school districts in the subdivision".

**20.** The said Act is further amended as to section 235 thereof,—

- (a) by striking out subsection (2) thereof and by substituting therefor the following:  
 "(2) Immediately after the expiration of one hour after the commencement of the meeting, the chairman shall proceed to call for the nomination of candidates for the office of divisional trustee for the subdivision, each of whom shall be an elector of a district within the subdivision, a British subject and able to read and write, and for the period of thirty minutes from the time when the chairman first called for nominations the meeting shall remain open for the purpose of receiving nominations.";
- (b) by inserting therein immediately after subsection (3) thereof the following new subsection:  
 "(3a) Any person who has been nominated as a candidate for the office of a divisional trustee may withdraw his nomination by delivering to the Secretary of the Division, not later than the twelfth day before the date fixed for the election, a statement in writing signed by himself before a Justice of the Peace or in the presence of two electors of the division, requesting the withdrawal of such nomination, and if as a result of such withdrawal the number of persons nominated for the office of divisional trustee for a subdivision is reduced to one, that one shall be declared elected by the Secretary without a poll and he shall certify the fact of such election in the manner prescribed in section 240 of this Act.";
- (c) by adding at the end of subsection (4) thereof the following:  
 "and shall without undue delay send to the Minister and to the Secretary of the Division a certificate signed by him setting out the name and address of the candidate elected as a member of the divisional board for the subdivision or the names of the candidates nominated for such election and the order in point of time in which such persons were so nominated, as the case may be; and the Secretary of the Division upon the receipt of any such certificate shall send a copy thereof to the secretary of each school district in the subdivision to which the certificate relates."

**21.** The said Act is further amended as to section 238 thereof by striking out the same and by substituting therefor the following:

"**238.** Subject to the other provisions of this Part, all the provisions of section 47 and of sections 86 to 99 both inclusive, relating to the taking of a poll for the election of



trustees of a rural school district shall, *mutatis mutandis*, be applicable to the taking of a poll in a subdivision."

22. The said Act is further amended by inserting therein immediately after section 238 the following new section:

"238a. The chairman of a public meeting at which a poll is held for the election of a divisional trustee shall be entitled to vote at the said election."

23. The said Act is further amended as to section 239 by striking out the same and by substituting therefor the following:

"239. Upon the close of the poll the chairman and the secretary of the meeting shall count the ballots in the presence of at least two electors, shall make out and sign a statement of the ballots in duplicate, shall forward one statement of the ballots to the Secretary of the Division by mail in a separate envelope, and shall make up into a separate parcel the ballots cast, the other statement of the ballots cast, the poll book, the unused ballots, declarations and all other papers used in connection with the election, and shall seal up the same and either deliver the same to the Secretary of the Division or forward the same to him by registered mail."

24. The said Act is further amended by inserting therein immediately after section 242 the following new section:

"242a.—(1) Every divisional trustee other than one appointed by the Minister, shall, before undertaking any of the duties of a divisional trustee, and before he takes his seat as a member of the divisional board, make a declaration before a Justice of the Peace or a Commissioner for Oaths, in the following form:

"I, ..... of....., in the Province of Alberta, do hereby declare that I am an elector of the School District of....., that I am a British subject, that I am able to read and write, that I hereby accept the office of divisional trustee to which I have been elected in subdivision No....., of School Division No....., of the Province of Alberta, and that I will to the best of my ability, honestly and faithfully discharge the duties devolving on me as such divisional trustee.  
"Dated at....., in the Province of Alberta, this..... day of....., 193.....

.....  
"Divisional Trustee."

"(2) Every Justice of the Peace or Commissioner for Oaths before whom any declaration as last aforesaid is made, shall endorse upon or attach to the declaration, which declaration shall be signed by him, and shall deliver to the declarant a certificate in the form of the following:

"I, ..... of....., in the Province of Alberta, do hereby certify that ..... of....., in the Province of Alberta, a person elected as a divisional

trustee for Subdivision No....., or School Division No....., in the Province of Alberta, has this day made before me the required declaration of office.

"Dated at....., in the Province of Alberta, this..... day of....., 193.....

.....  
"Justice of the Peace.

"Commissioner for Oaths."

"(3) Every divisional trustee shall deliver the aforesaid declaration taken by him, together with the certificate relating thereto, to the Secretary of the Division, at the first meeting of the divisional board attended by him, when the secretary shall enter the fact of such delivery on the minutes of that meeting and shall retain the declaration and certificate on file."

**25.** The said Act is further amended as to section 246 by striking out the words "from a post office in the division" where the same occur in subsection (2) thereof and by substituting therefor the words "from a post office in the division or from the post office from which the secretary of the Board ordinarily receives his mail,".

**26.** The said Act is further amended by inserting therein immediately after section 247 the following new section:

"**247a.**—(1) In the event of a vacancy occurring in the membership of the board the secretary shall report to the board at the first meeting thereof held after the occurrence of the vacancy, the fact that such vacancy has occurred, and shall make an entry thereof upon the minutes and the board shall proceed to appoint some person to fill the vacancy who shall be an elector of the subdivision in respect of which the vacancy occurred, a British subject and able to read and write, and the person so appointed shall continue to hold office until the next annual election of members of the board, when an election shall be held in the subdivision in respect of which the vacancy occurred for the purpose of electing a member of the board for that subdivision and the member so elected shall hold office in the place of and for the unexpired term of office of the member who held office immediately before the first mentioned vacancy occurred.

"(2) In case default is made by the board in the appointment of some person to fill a vacancy under the provisions of this section and such default continues for a period of more than thirty days after the occurrence of the vacancy, the Minister may by writing under his hand appoint any person whom he thinks proper to fill the vacancy, and thereupon the person so appointed shall hold office as if he had been appointed by the board under the provisions of this section and thereupon the powers of the board under this section shall utterly cease and determine."

**27.** The said Act is further amended as to section 248 thereof,—

- (a) by striking out the proviso to paragraph (a) thereof and by substituting therefor the following:

“Provided always that in case the assets of a district exclusive of its school site, school buildings, teacherage and school equipment, and exclusive of all grants receivable and all arrears of taxes in excess of liabilities and all other accounts receivable, exceed its liabilities, the amount of the excess shall be credited in the books of the divisional board to the district and the amount of such credit shall from and after the expiration of the third year after the year in which the division was formed be available for the provision of educational facilities and equipment not ordinarily furnished by the divisional board and which are required to be furnished by the resolution of the board of trustees of the district.”;

- (b) by striking out the words “by section 119 and 120 hereof” where the same occur in paragraph (c) thereof and by substituting therefor the words “by this Act”.

**28.** The said Act is further amended as to section 249 by adding at the end thereof the following:

“(5) In case the board of trustees of any school district included in the division passes a resolution requiring the divisional board to make provision for the payment of the expenses incidental to the membership of trustees of the district in The Alberta Trustees Association at the cost of the district, the divisional board shall upon receiving a copy of such resolution proceed to comply therewith.”

**29.** The said Act is further amended by inserting therein immediately after section 250 the following new sections:

“**250a.**—(1) No member of a divisional board shall enter into any contract in which he has any pecuniary interest with the board of which he is a member, in his own name or in the name of another, alone or jointly with another, and every contract so entered into shall be null and void.

“(2) No member of a divisional board shall receive payment for any work done or for materials supplied to any person in connection with any contract awarded or purchases made by the board whilst such person was a member of the board.

“(3) A member of the board violating the provisions of this section shall *ipso facto* vacate his seat, and it shall be the duty of the remaining members of the board to declare his seat vacant.

“(4) A member of a divisional board violating the provisions of this section shall also be liable upon summary conviction to a fine of not more than twenty-five dollars and costs and in default of payment to a term of imprisonment of not more than thirty days.

“(5) Nothing in this section shall prevent a member of a divisional board from receiving,—

- “(a) remuneration from the board as secretary, treasurer, janitor, local attendance officer, assessor or collector; or
- “(b) the purchase price of a school site; or
- “(c) a sum not exceeding ten dollars in any one year for labour or goods supplied; or
- “(d) reasonable allowances for travelling expenses and subsistence when engaged away from his place of residence on business of the board authorized by a resolution of the board.

“**250b.** Subject to the other provisions of this part every school division and every divisional board shall possess and exercise all the rights, powers and privileges, and be subject to the same liabilities of method of government as is provided in this Act in respect of public school districts.”

**30.** The said Act is further amended as to section 253 by striking out the same and by substituting therefor the following:

“**253.**—(1) In the event of the Minister approving the agreement, the Board of the district shall cause to be prepared in a form prescribed by the Minister, a notice to the effect that unless the Minister receives within twenty-one days after the date of the posting of the notice a demand in writing for the taking of a vote for or against the inclusion of the school district in the division from twenty-five per cent of the electors of the district, and the Board shall cause a copy of such notice to be posted up at not less than three conspicuous places in the district.

“(2) In case no such demand as aforesaid is received by the Minister within twenty-one days after the date of posting the notices, the Minister may without any further notice or action by order include the district in the division.”

**31.** The said Act is further amended by inserting therein immediately after section 257 the following new section:

“**257a.** Notwithstanding any other provisions of this Act, the fact that a village has been newly constituted in any school division at any time after the constitution of the division, shall not have the effect of removing from the division any school district which is wholly or partially within the corporate limits of any village so constituted, nor shall such fact affect any such school district, and every such school district shall continue as if such village had not been constituted.”

**32.** The said Act is further amended as to section 258 by striking out the same and by substituting therefor the following:

“**258.** On or before the fifteenth day of February in each year, the Secretary-treasurer of any municipal district within which any school district included in a division is situate, shall certify in writing under his hand to the Secretary of the Divisional Board, the total gross value of all property

which is within the municipal district and within any school district included in a division and which is liable to assessment and taxation under section 263 of this Act and section 5 of *The School Assessment Act, 1931.*"

**33.** The said Act is further amended as to section 259 by striking out the same and by substituting therefor the following:

"**259.** The Minister of Municipal Affairs shall on or before the fifteenth day of February in each year certify under his hand to the Secretary of the Divisional Board, the total gross value of all property which is within any improvement district and within any school district included in a division and which is liable to assessment and taxation under section 263 of this Act and section 5 of *The School Assessment Act, 1931.*"

**34.** The said Act is further amended as to section 260 thereof,—

- (a) by striking out the words "fifteenth day of May" where the same occur therein and by substituting therefor the words "fifteenth day of March";
- (b) by adding after the last word thereof the following words, "or any resolution of the Board of Trustees of a school district requiring the provision by the Divisional Board of the expenses incidental to membership in The Alberta Trustees Association".

**35.** The said Act is further amended as to section 261 thereof,—

- (a) by striking out the words "municipal district" wherever the same occur therein and by substituting therefor the word "municipality";
- (b) by adding at the end thereof the following new subsection:  
 "(2) In this section "Municipality" means any city, town, village or municipal district."

**36.** The said Act is further amended as to section 262 thereof, —

- (a) by striking out the words "municipal district" wherever the same occur therein and by substituting therefor the word "municipality";
- (b) by adding at the end thereof the following new subsection:  
 "(2) In this section 'Municipality' means any city, town, village or municipal district."
- (c) by striking out the words "October, January, April and July" and by substituting therefor the words, "April, July, October and January".

**37.** The said Act is further amended by inserting therein immediately after section 262 the following new section :

**"262a.**—(1) The Board of a division may by resolution require and authorize any municipality within which is situate any school district or portion of a school district, which prior to its inclusion in the school division collected its own taxes, to collect all arrears of taxes owing to any such school district which are levied at any time prior to the inclusion thereof in the division and which are not subject to the provisions of *The Tax Recovery Act*, and upon the receipt by the secretary of the municipality or by the Minister of Municipal Affairs in respect of an improvement district, of a copy of any such resolution together with all requisite information as to the nature and amount of such arrears of taxes, it shall be the duty of the municipality and the municipality is hereby empowered to enforce the payment of such arrears as if the same were arrears of taxes which had been duly levied by the municipality for the purpose of the municipality under the statute governing the municipality, and the municipality shall cause a report to be made to the divisional board of all collections of arrears of taxes so made and a remittance of all taxes so collected, in the months of January, April, July and October, for and in respect of the period immediately preceding the month in which the report and remittance are made.

"(2) In this section 'Municipality' means any city, town, village or municipal district or improvement district."

**38.** The said Act is further amended as to section 263 thereof,—

- (a) by striking out the words "under *The Improvement Districts Act, 1927*, and which are liable to assessment and taxation in a school district for the purposes thereof"; and
- (b) by adding at the end thereof the following new subsections:

"(2) In the case of a school district which is included in a division and is situated either wholly or partially in an improvement district, the property in such school district so situated liable for assessment and taxation in respect of the requisitions made by the division, shall be the property declared to be liable to assessment and taxation by section 5 of *The School Assessment Act, 1931*, and all the provisions of Part I to V of that Act shall be applicable thereto; provided that for the purposes of this Act the expressions 'Board of Trustees', 'Assessor', 'Treasurer', 'Secretary-Treasurer' and 'Court of Revision', used in any of the said Parts shall mean any person designated by the Minister of Municipal Affairs as the person to discharge the powers, duties and functions of the Board of Trustees, Assessor, Treasurer, Secretary-Treasurer and Court of Revision, respectively by the said Parts or any of them.

“(3) In the case of a school district which is included in a division and is situated either wholly or partially in a municipal district the property in such school district so situated liable for assessment and taxation in respect of the requisitions made by the division, shall be the property declared to be liable to assessment and taxation by section 5 of *The School Assessment Act, 1931*, and all the provisions of Parts I to V both inclusive of that Act shall *mutatis mutandis* be applicable thereto; provided that for the purpose of this Act, the expressions ‘Board of Trustees’ and ‘Board’ used in any of the said Parts means the council of the municipal district; the expression ‘Assessor’ means the assessor of the municipal district; the expression ‘Court of Revision’ means the council of the municipal district; and the expressions ‘Treasurer’ and ‘Secretary-Treasurer’ means the secretary-treasurer of the municipal district; and the council of every such municipal district shall and it is hereby empowered to levy the amounts for the payment of which requisitions are made pursuant to this Part against the property in the school district liable to assessment and taxation, and for the purpose of making such levy all the provisions of *The Municipal Districts Act* relating to the levy and collection of the ordinary taxes of the district shall apply to the levy and collection of all taxes levied pursuant hereto, in every way as if the last mentioned taxes were the taxes ordinarily levied by the municipal district for the purposes of the municipal district.

“Provided further that section 372 of *The Municipal Districts Act* shall not apply to requisitions made by the Board of a division, but for the purposes of sections 373, 374 and 375 of that Act shall apply to every requisition made pursuant to this Part as if such requisition had been made pursuant to *The School Assessment Act, 1931*.

“(4) In the case of any school district which is included in a division and is situate either wholly or partially within a municipality which is a city, town or village, such municipality is empowered and it shall be its duty to levy the amounts for the payment of which requisitions are made by a divisional board in pursuance of this Part against the property and businesses in the school district which are liable to assessment and taxation; and for the purpose of making and enforcing such levy the municipality shall have the same powers of levying and collecting the same as are conferred upon the municipality by the statute governing the municipality for the levying and collecting of taxes payable under such statute.

“(5) All taxes levied in respect of any requisition in pursuance to this Part shall be deemed to be taxes

for the purpose of any Act for the recovery of taxes which is applicable to the recovery of the taxes of the city, town, village, municipal district or improvement district, by which the first mentioned taxes are levied.”

**39.** The said Act is further amended by inserting therein immediately after section 263 the following new section:

“**263a.** The Secretary of the Board of a division shall deliver to the Secretary-Treasurer of every municipal district, the last revised assessment roll or a true copy thereof of every school district which is included in the division and which is situate either wholly or partially within the municipal district, and shall deliver to the Minister of Municipal Affairs the assessment roll or a true copy thereof of any school district included in the division which is situate either wholly or partially within an improvement district.”

**40.** The said Act is further amended as to section 264 by striking out the same and by substituting therefor the following:

“**264.** The divisional board may from time to time with the consent of the Minister borrow from any Person, Bank or Corporation any sum or sums required for the purpose of meeting its current requirements, and may charge any sums of money which are for the time being due or accruing due to the Board, including any sums payable or to become payable to the Board on account of any requisition made by the Board pursuant to this Act with the repayment of any sum or sums so borrowed, provided always that any borrowings so made shall not exceed the aggregate amount payable or to become payable to the Board by virtue of such requisitions.”

**41.** The said Act is further amended by inserting therein immediately after section 267 thereof the following new section:

“**267a.** The Secretary of a Divisional Board shall be responsible to the Board through the Superintendent for the performance of his duties, which shall be as follows:—

- “(a) to receive all moneys payable to the Divisional Board and to disburse such moneys in the manner directed by the Board;
- “(b) to pay all accounts payable by the Board when the same have been certified either by the chairman of the Board or by some person other than the chairman authorized by resolution of the Board to certify accounts for payment;
- “(c) to keep a complete and detailed record of all the financial transactions of the Board;
- “(d) to give and take receipts for all moneys received or paid out and to keep on file all vouchers of expenditure;
- “(e) to close and balance the books of the division on the thirty-first day of December in each year;



- “(f) to produce upon demand by the Board or the Superintendent or other competent authority, all books, vouchers, papers and money belonging to the Board and to hand over the same to the Board or any person named by the Board upon his ceasing to hold office;
- “(g) to make such reports and statements and to do such acts and things as the Secretary of the Board is required to do by this Act;
- “(h) to keep accurate minutes of the proceedings of all meetings of the Divisional Board;
- “(i) to comply with any lawful directions which may be from time to time given by the Board and communicated to him by the Superintendent as to the execution of his duties, and to carry out any duty which may be lawfully assigned to him by the Board.”

42. The said Act is further amended as to section 268 by adding at the end thereof the following:

“Provided that in respect of the first year of the operation of a Division, the grants payable to the Division shall not be less than the total grants earned by all the school districts included in the Division in the immediately preceding year.”

43. The schedule is amended as to Form H by striking out the same and by substituting therefor the following:

“FORM H.  
 “NOTICE OF TERMINATION OF CONTRACT BETWEEN THE BOARD  
 AND TEACHER TO TAKE EFFECT IN MONTH OF JULY.  
 “.....  
 “ (Post Office Address)  
 “.....  
 (Date)

“Dear Sir (or Madam) :  
 “Pursuant to a resolution passed by the Board of Trustees of the..... school district of the Province of Alberta No.....at a meeting of the Board held on the..... day of....., 19....., I hereby notify you that your services as teacher of the school in this district will not be required after the .....day of July 19..... (insert day of the month on which termination is to take effect which day must be not less than thirty days after the day on which the notice is mailed or handed to the teacher). (See section 157.)

“Yours truly,  
 “.....  
 “Secretary-Treasurer.”

44. The schedule is amended as to Form K by striking out the same and by substituting therefor the following:

“FORM K.

“The School Division of.....  
“I, the undersigned, .....  
(Name)

of .....  
(Post Office Address) (Occupation)

do hereby certify that I am an elector of the School District  
of....., No....., of the  
Province of Alberta, a School District included in Subdivi-  
sion No....., of the said Division, that I am a British  
subject, that I am able to read and write and do hereby con-  
sent to my being nominated as a candidate for election as a  
member of the board of division.

“Dated this..... day of....., 193....  
“.....  
“Signature of Candidate.”

45. The schedule is amended by striking out Part II  
thereof and by substituting therefor the following:

“PART II OF THE SCHEDULE.

“Table of Fees.

“Non-Resident Pupils.

“Table of fees for courses partially in Grades X and XI  
(or equivalent commercial and technical courses) and par-  
tially in Grade XII (or equivalent commercial or technical  
courses) showing the amounts chargeable to the school dis-  
trict and to the parent or guardian respectively.

8 UNIT COURSE—TOTAL FEES \$40.00.			
Number of Units Taken		Fees Chargeable to S.D.	Fees Chargeable to Parent or Lawful Guardian.
Grades X, XI, First Year Commercial Course, Second Year Commercial Course, First Year Technical Course, Second Year Technical Course.	Grade XII Third Year Commercial Course, Third Year Technical Course.		
7	1	\$30.00	\$10.00
6	2	27.00	13.00
5	3	22.50	17.50
4	4	18.00	22.00
3	5	13.50	26.50
2	6	9.00	31.00
1	7	4.50	35.50

  

7 UNIT COURSE—TOTAL FEES \$40.00.			
6	1	\$30.00	\$10.00
5	2	25.00	15.00
4	3	20.00	20.00
3	4	15.00	25.00
2	5	10.00	30.00
1	6	5.00	35.00

  

6 UNIT COURSE—TOTAL FEES \$35.00.			
5	1	\$25.00	\$10.00
4	2	20.00	15.00
3	3	15.00	20.00
2	4	10.00	25.00
1	5	5.00	30.00

  

5 UNIT COURSE—TOTAL FEES \$30.00.			
4	1	\$20.00	\$10.00
3	2	15.00	15.00
2	3	10.00	20.00
1	4	5.00	25.00

  

4 UNIT COURSE—TOTAL FEES \$25.00.			
3	1	\$15.00	\$10.00
2	2	10.00	15.00
1	3	5.00	20.00

  

3 UNIT COURSE—TOTAL FEES \$20.00.			
2	1	\$10.00	\$10.00
1	2	5.00	15.00

  

2 UNIT COURSE—TOTAL FEES \$15.00.			
1	1	\$5.00	\$10.00

## "FEES FOR PARTIAL COURSES.

"Grades X, XI, First Year Commercial Course, Second Year Commercial Course, First Year Technical Course, Second Year Technical Course (1 to 5 Courses). \$5.00 per unit.

"Grade XII, Third Year Commercial Course, Third Year Technical Course (1 to 6 Courses). \$10.00 for first unit and \$5.00 for each unit thereafter."

**46.** Sections 17 to 43 both inclusive of this Act shall come into force on the day upon which it is assented to, and upon so coming into force shall be deemed to have been in force at all times from and after the first day of January, 1937, and the remaining sections of this Act exclusive of this section shall come into force on the first day of July, 1937.

THIRD SESSION  
EIGHTH LEGISLATURE  
1 GEORGE VI  
1937

---

---

**BILL**

An Act to amend The School Act,  
1931.

---

---

Received and read the

First time.....

Second time.....

Third time.....

---

---

HON. MR. ABERHART.

---

---

EDMONTON:  
A. Shnitka, King's Printer  
1937